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**HOUSE BILL 3103**

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**State of Washington****58th Legislature****2004 Regular Session**

**By** Representatives Kenney, Cox, Fromhold, Priest, Morrell, Hudgins, McCoy, McDermott, Haigh, G. Simpson and Santos

Read first time 01/28/2004. Referred to Committee on Higher Education.

1 AN ACT Relating to higher education; amending RCW 28B.80.400,  
2 28B.80.430, 28B.80.200, 28B.80.345, 28B.80.330, 28B.80.335, 28B.80.280,  
3 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175, 28B.80.360,  
4 28B.10.859, 28B.10.868, 28B.10.873, 28B.10.882, 28B.80.160, 28B.80.245,  
5 28B.80.246, 28B.80.620, 28B.80.626, 28B.04.020, 28B.04.030, 28B.04.080,  
6 28B.04.085, 28B.10.800, 28B.10.802, 28B.10.804, 28B.10.808,  
7 28B.10.8081, 28B.10.810, 28B.10.816, 28B.10.818, 28B.10.820,  
8 28B.10.822, 28B.10.790, 28A.305.285, 28B.10.650, 28A.600.110,  
9 28A.600.390, 28B.10.020, 28B.10.050, 28B.15.543, 28B.15.545,  
10 28B.15.910, 28B.20.130, 28B.30.150, 28B.35.120, 28B.38.010, 28B.40.120,  
11 28B.50.090, 28B.50.140, 28B.95.020, 28B.119.010, 28C.04.545,  
12 43.105.825, 43.157.010, 43.79.465, 28B.15.760, 28B.15.820, 28B.101.020,  
13 28B.102.040, 28B.108.010, 28B.115.050, 28B.119.030, 28B.133.010,  
14 28B.133.020, and 28B.133.050; reenacting and amending RCW 28B.80.390;  
15 adding a new section to chapter 28B.45 RCW; adding new chapters to  
16 Title 28B RCW; creating new sections; recodifying RCW 28B.80.300,  
17 28B.80.310, 28B.80.390, 28B.80.400, 28B.80.410, 28B.80.420, 28B.80.110,  
18 28B.80.430, 28B.80.380, 28B.80.200, 28B.80.370, 28B.80.345, 28B.80.330,  
19 28B.80.335, 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076,  
20 28B.80.175, 28B.80.240, 28B.80.210, 28B.80.230, 28B.80.180, 28B.80.360,  
21 28B.10.859, 28B.10.866, 28B.10.867, 28B.10.868, 28B.10.869, 28B.10.870,

1 28B.10.871, 28B.10.872, 28B.10.873, 28B.10.880, 28B.10.881, 28B.10.882,  
2 28B.10.883, 28B.10.884, 28B.10.885, 28B.10.886, 28B.80.150, 28B.80.160,  
3 28B.80.170, 28B.80.245, 28B.80.246, 28B.80.272, 28B.80.805, 28B.80.806,  
4 28B.80.807, 28B.80.620, 28B.80.622, 28B.80.624, 28B.80.626, 28B.80.810,  
5 28B.10.800, 28B.10.801, 28B.10.802, 28B.10.804, 28B.10.806, 28B.10.808,  
6 28B.10.8081, 28B.10.810, 28B.10.812, 28B.10.814, 28B.10.816,  
7 28B.10.818, 28B.10.820, 28B.10.821, 28B.10.822, and 28B.80.510;  
8 repealing RCW 28A.305.280, 28B.10.210, 28B.10.215, 28B.10.220,  
9 28B.10.824, 28B.10.874, 28B.10.887, 28B.80.255, 28B.80.265, 28B.80.290,  
10 28B.80.320, 28B.80.340, 28B.80.440, 28B.80.442, 28B.80.450, 28B.80.500,  
11 28B.80.520, 28B.80.600, 28B.80.610, 28B.80.612, 28B.80.614, 28B.80.616,  
12 28B.80.910, 28B.80.911, and 28B.80.912; providing an effective date;  
13 and providing an expiration date.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

15 **PART I**  
16 **GENERAL PROVISIONS**

17 NEW SECTION. **Sec. 1.** The purpose of the board is to:

18 (1) Develop a statewide strategic master plan for higher education  
19 and continually monitor state and institution progress in meeting the  
20 vision, goals, priorities, and strategies articulated in the plan;

21 (2) Based on objective data analysis, develop and recommend  
22 statewide policies to enhance the availability, quality, efficiency,  
23 and accountability of public higher education in Washington state;

24 (3) Administer state and federal financial aid and other education  
25 services programs in a cost-effective manner;

26 (4) Serve as an advocate on behalf of students and the overall  
27 system of higher education to the governor, the legislature, and the  
28 public; and

29 (5) Coordinate with the governing boards of the two and four-year  
30 institutions of higher education, the state board for community and  
31 technical colleges, the work force training and education coordinating  
32 board, and the superintendent of public instruction to create a  
33 seamless system of public education for the citizens of Washington  
34 state geared toward student success.

1       **Sec. 2.** RCW 28B.80.390 and 2002 c 348 s 1 and 2002 c 129 s 1 are  
2 each reenacted and amended to read as follows:

3       (1) The board shall consist of ten voting members, one of whom  
4 shall be a student, who are representative of the public, including  
5 women and the racial minority community. All voting members shall be  
6 appointed at large by the governor and approved by the senate.

7       (2) The board shall also include four nonvoting, ex officio  
8 members: The executive director of the state board for community and  
9 technical colleges; the executive director of the work force training  
10 and education coordinating board; the chair of the council of  
11 presidents; and the superintendent of public instruction. In addition,  
12 the board shall include two nonvoting faculty representatives: One  
13 faculty member of a four-year institution appointed by the council of  
14 faculty representatives and one faculty member of a community or  
15 technical college appointed by the state board for community and  
16 technical colleges. Each faculty representative shall serve a two-year  
17 term.

18       (3) Following the term of the chair serving on June 13, 2002, the  
19 board shall select from its membership a chair and a vice-chair who  
20 shall each serve a one-year term. The chair and vice-chair may serve  
21 more than one term if selected to do so by the membership.

22       **Sec. 3.** RCW 28B.80.400 and 2002 c 129 s 2 are each amended to read  
23 as follows:

24       The members of the board, except the chair serving on June 13,  
25 2002, and the student member, shall serve for terms of four years, the  
26 terms expiring on June 30th of the fourth year of the term except that  
27 in the case of initial members, two shall be appointed to two-year  
28 terms, three shall be appointed to three-year terms, and three shall be  
29 appointed to four-year terms. The student member shall hold his or her  
30 office for a term of one year from the first day of July. The chair  
31 serving on June 13, 2002, shall serve at the pleasure of the governor.

32       **Sec. 4.** RCW 28B.80.430 and 1987 c 330 s 301 are each amended to  
33 read as follows:

34       The board shall employ a director and may delegate agency  
35 management to the director. The director shall serve at the pleasure  
36 of the board, shall be the executive officer of the board, and shall,

1 under the board's supervision, administer the provisions of this  
2 chapter. The executive director shall, with the approval of the board:  
3 (1) Employ necessary deputy and assistant directors and other exempt  
4 staff under chapter ~~((28B.16))~~ 41.06 RCW who shall serve at his or her  
5 pleasure on such terms and conditions as he or she determines and (2)  
6 subject to the provisions of chapter ~~((28B.16))~~ 41.06 RCW, appoint and  
7 employ such other employees as may be required for the proper discharge  
8 of the functions of the board. The executive director shall exercise  
9 such additional powers, other than rule making, as may be delegated by  
10 the board by resolution. In fulfilling the duties under this chapter,  
11 the board shall make extensive use of those state agencies with  
12 responsibility for implementing and supporting postsecondary education  
13 plans and policies including but not limited to appropriate legislative  
14 groups, the postsecondary education institutions, the office of  
15 financial management, the ~~((commission for vocational education))~~ work  
16 force training and education coordinating board, and the state board  
17 for community ~~((college education))~~ and technical colleges. Outside  
18 consulting and service agencies may also be employed. The board may  
19 compensate these groups and consultants in appropriate ways.

20 **Sec. 5.** RCW 28B.80.200 and 1985 c 370 s 20 are each amended to  
21 read as follows:

22 The higher education coordinating board is designated as the state  
23 commission as provided for in Section 1202 of the education amendments  
24 of 1972 (Public Law 92-318), as now or hereafter amended; and shall  
25 perform such functions as is necessary to comply with federal  
26 directives pertaining to the provisions of such law(~~((: PROVIDED, That~~  
27 ~~notwithstanding the provisions of RCW 28B.80.050, all members of the~~  
28 ~~board shall have full voting powers in taking actions related to~~  
29 ~~federal postsecondary educational planning functions as provided for in~~  
30 ~~this section and RCW 28B.80.210 through 28B.80.240))~~).

31 **PART II**  
32 **POLICY AND PLANNING**

33 **Sec. 6.** RCW 28B.80.345 and 2003 c 130 s 2 are each amended to read  
34 as follows:

35 (1) The board shall develop a statewide strategic master plan for

1 higher education that proposes a vision and identifies goals and  
2 priorities for the system of higher education in Washington state. The  
3 board shall also specify strategies for maintaining and expanding  
4 access, affordability, quality, efficiency, and accountability among  
5 the various institutions of higher education.

6 (2) In developing the statewide strategic master plan for higher  
7 education, the board shall collaborate with the four-year institutions  
8 of higher education including the council of presidents, the community  
9 and technical college system, and, when appropriate, the work force  
10 training and education coordinating board, the superintendent of public  
11 instruction, and the independent higher education institutions. The  
12 board shall also seek input from students, faculty organizations,  
13 community and business leaders in the state, members of the  
14 legislature, and the governor.

15 (3) As a foundation for the statewide strategic master plan for  
16 higher education, the board shall (~~develop and establish~~) review role  
17 and mission statements for each of the four-year institutions of higher  
18 education and the community and technical college system. (~~The board  
19 shall determine whether certain major lines of study or types of  
20 degrees, including applied degrees or research-oriented degrees, shall  
21 be assigned uniquely to some institutions or institutional sectors in  
22 order to create centers of excellence that focus resources and  
23 expertise~~) The purpose of the review is to ensure institutional roles  
24 and missions are aligned with the overall state vision and priorities  
25 for higher education.

26 (4) In assessing needs of the state's higher education system, the  
27 board may consider and analyze the following information:

28 (a) Demographic, social, economic, and technological trends and  
29 their impact on service delivery;

30 (b) The changing ethnic composition of the population and the  
31 special needs arising from those trends;

32 (c) Business and industrial needs for a skilled work force;

33 (d) College attendance, retention, transfer, and dropout rates;

34 (e) Needs and demands for basic and continuing education and  
35 opportunities for lifelong learning by individuals of all age groups;  
36 and

37 (f) Needs and demands for access to higher education by placebound

1 students and individuals in heavily populated areas underserved by  
2 public institutions.

3 (5) The statewide strategic master plan for higher education shall  
4 include, but not be limited to, the following:

5 (a) Recommendations based on enrollment forecasts and analysis of  
6 data about demand for higher education, and policies and actions to  
7 meet those needs;

8 (b) State or regional priorities for new or expanded degree  
9 programs or off-campus programs, including what models of service  
10 delivery may be most cost-effective;

11 (c) Recommended policies or actions to improve the efficiency of  
12 student transfer and graduation or completion;

13 (d) State or regional priorities for addressing needs in high-  
14 demand fields where enrollment access is limited and employers are  
15 experiencing difficulty finding enough qualified graduates to fill job  
16 openings;

17 (e) Recommended tuition and fees policies and levels; and

18 (f) Priorities and recommendations on financial aid.

19 (6) The board shall present the vision, goals, priorities, and  
20 strategies in the statewide strategic master plan for higher education  
21 in a way that provides guidance for institutions, the governor, and the  
22 legislature to make further decisions regarding institution-level  
23 plans, policies, legislation, and operating and capital funding for  
24 higher education. In the statewide strategic master plan for higher  
25 education, the board shall recommend specific actions to be taken and  
26 identify measurable performance indicators and benchmarks for gauging  
27 progress toward achieving the goals and priorities.

28 (7) Every four years by December 15th, beginning December 15, 2003,  
29 the board shall submit an interim statewide strategic master plan for  
30 higher education to the governor and the legislature. The interim plan  
31 shall reflect the expectations and policy directions of the legislative  
32 higher education and fiscal committees, and shall provide a timely and  
33 relevant framework for the development of future budgets and policy  
34 proposals. The legislature shall, by concurrent resolution, approve or  
35 recommend changes to the interim plan, following public hearings. The  
36 board shall submit the final plan, incorporating legislative changes,  
37 to the governor and the legislature by June of the year in which the

1 legislature approves the concurrent resolution. The plan shall then  
2 become state higher education policy unless legislation is enacted to  
3 alter the policies set forth in the plan.

4 (8) Each four-year institution shall develop an institution-level  
5 strategic plan that implements the vision, goals, priorities, and  
6 strategies within the statewide strategic master plan for higher  
7 education based on the institution's role and mission. Institutional  
8 strategic plans shall also contain measurable performance indicators  
9 and benchmarks for gauging progress toward achieving the goals and  
10 priorities. The board shall review the institution-level plans to  
11 ensure the plans are aligned with and implement the statewide strategic  
12 master plan for higher education and shall periodically monitor  
13 institutions' progress toward achieving the goals and priorities within  
14 their plans.

15 **Sec. 7.** RCW 28B.80.330 and 2003 c 130 s 3 are each amended to read  
16 as follows:

17 (1) The board shall ((perform the following planning duties in  
18 consultation)) collaborate with the four-year institutions including  
19 the council of presidents, the community and technical college system,  
20 and when appropriate the work force training and education coordinating  
21 board, the superintendent of public instruction, and the independent  
22 higher educational institutions((+)

23 (1) Review, evaluate, and make recommendations on operating and  
24 capital budget requests from four year institutions and the community  
25 and technical college system, based on how the budget requests align  
26 with and implement the statewide strategic master plan for higher  
27 education under RCW 28B.80.345;

28 (a)) to identify budget priorities and levels of funding for  
29 higher education, including the two and four-year institutions of  
30 higher education and state financial aid programs. It is the intent of  
31 the legislature that recommendations from the board reflect not merely  
32 the sum of budget requests from multiple institutions, but prioritized  
33 funding needs for the overall system of higher education.

34 (2) By December of each odd-numbered year, the board shall  
35 distribute guidelines which outline the board's ((fiscal)) budget  
36 priorities to the institutions and the state board for community and  
37 technical colleges. The institutions and the state board for community

1 and technical colleges shall submit an outline of their proposed  
2 budgets, identifying major components, to the board no later than  
3 August 1st of each even-numbered year.

4 (3) The board shall review and evaluate the operating and capital  
5 budget requests from four-year institutions and the community and  
6 technical college system based on how the requests align with the  
7 board's budget priorities, the missions of the institutions, and the  
8 statewide strategic master plan for higher education under RCW  
9 28B.80.345 (as recodified by this act).

10 (4) The board shall submit recommendations on the proposed budgets  
11 and on the board's budget priorities to the office of financial  
12 management before November 1st of each even-numbered year, and to the  
13 legislature by January 1st of each odd-numbered year((+

14 ~~(b))~~).

15 (5) Institutions and the state board for community and technical  
16 colleges shall submit any supplemental budget requests and revisions to  
17 the board at the same time they are submitted to the office of  
18 financial management. The board shall submit recommendations on the  
19 proposed supplemental budget requests to the office of financial  
20 management by November 1st and to the legislature by January 1st((+

21 ~~(2) Recommend legislation affecting higher education;~~  
22 ~~(3) Prepare recommendations on merging or closing institutions; and~~  
23 ~~(4) Develop criteria for identifying the need for new baccalaureate~~  
24 ~~institutions)).~~

25 **Sec. 8.** RCW 28B.80.335 and 2003 1st sp.s. c 8 s 2 are each amended  
26 to read as follows:

27 (1) Beginning with the 2005-2007 biennial capital budget submittal,  
28 the public four-year institutions, in consultation with the council of  
29 presidents and the higher education coordinating board, shall prepare  
30 a single prioritized individual ranking of the individual projects  
31 proposed by the four-year institutions as provided in subsection (2) of  
32 this section. The public four-year institutions may aggregate minor  
33 works project requests into priority categories without separately  
34 ranking each minor project, provided that these aggregated minor works  
35 requests are ranked within the overall list. For repairs and  
36 improvements to existing facilities and systems, the rating and ranking  
37 of individual projects must be based on criteria or factors that

1 include, but are not limited to, the age and condition of buildings or  
2 systems, the programmatic suitability of the building or system, and  
3 the activity/occupancy level supported by the building or system. For  
4 projects creating new space or capacity, the ratings and rankings of  
5 projects must be based upon criteria or factors that include, but are  
6 not limited to, measuring existing capacity and progress toward meeting  
7 increased space utilization levels as determined by the higher  
8 education coordinating board.

9 (2) The single prioritized four-year project list shall be approved  
10 by the governing boards of each public four-year institution and shall  
11 be submitted to the office of financial management and the higher  
12 education coordinating board concurrent with the institution's  
13 submittal of their biennial capital budget requests.

14 (3)(a) The higher education coordinating board, in consultation  
15 with the office of financial management and the joint legislative audit  
16 and review committee, shall develop common definitions that public  
17 four-year institutions and the state board for community and technical  
18 colleges shall use in developing their project lists under this  
19 section.

20 (b) As part of its duties under RCW 28B.80.330(~~(+4)~~) (as  
21 recodified by this act), the higher education coordinating board shall,  
22 as part of its biennial budget guidelines, disseminate, by December 1st  
23 of each odd-numbered year, the criteria framework, including general  
24 definitions, categories, and rating system, to be used by the public  
25 four-year institutions in the development of the prioritized four-year  
26 project list. The criteria framework shall specify the general  
27 priority order of project types based on criteria determined by the  
28 board, in consultation with the public four-year institutions.

29 (c) Under RCW 28B.80.330(~~(+4)~~) (as recodified by this act), the  
30 public four-year institutions shall submit a preliminary prioritized  
31 four-year project list to the higher education coordinating board by  
32 August 1st of each even-numbered year.

33 (d) The state board for community and technical colleges shall, as  
34 part of its biennial capital budget request, submit a single  
35 prioritized ranking of the individual projects proposed for the  
36 community and technical colleges. The state board for community and  
37 technical colleges shall submit an outline of the prioritized community

1 and technical college project list to the higher education coordinating  
2 board under RCW 28B.80.330(~~(+4)~~) (as recodified by this act) by August  
3 1st of each even-numbered year.

4 (4) The higher education coordinating board, in consultation with  
5 the public four-year institutions, shall resolve any disputes or  
6 disagreements arising among the four-year institutions concerning the  
7 ranking of particular projects. Further, should one or more governing  
8 boards of the public four-year institutions fail to approve the  
9 prioritized four-year project list as required in this section, or  
10 should a prioritized project list not be submitted by the public four-  
11 year institutions concurrent with the submittal of their respective  
12 biennial capital budget requests as provided in subsection (2) of this  
13 section, the higher education coordinating board shall prepare the  
14 prioritized four-year institution project list itself.

15 (5) In developing any rating and ranking of capital projects  
16 proposed by the two-year and four-year public universities and  
17 colleges, the board:

18 (a) Shall be provided with available information by the public two-  
19 year and four-year institutions as deemed necessary by the board;

20 (b) May utilize independent services to verify, sample, or evaluate  
21 information provided to the board by the two-year and four-year  
22 institutions; and

23 (c) Shall have full access to all data maintained by the office of  
24 financial management and the joint legislative audit and review  
25 committee concerning the condition of higher education facilities.

26 (6) Beginning with the 2005-2007 biennial capital budget submittal,  
27 the higher education coordinating board shall, in consultation with the  
28 state board for community and technical colleges and four-year colleges  
29 and universities, submit its capital budget recommendations and the  
30 separate two-year and four-year prioritized project lists.

31 NEW SECTION. **Sec. 9.** (1) The board shall develop a comprehensive  
32 and ongoing assessment process to analyze the need for additional  
33 degrees and programs, additional service area locations, and  
34 consolidation or elimination of programs by the four-year institutions.

35 (2) As part of the needs assessment process, the board shall  
36 examine:

1 (a) Projections of student, employer, and community demand for  
2 education and degrees, including liberal arts degrees, on a regional  
3 and statewide basis;

4 (b) Current and projected degree programs and enrollment at public  
5 and private institutions of higher education, by location and mode of  
6 service delivery; and

7 (c) Data from the work force training and education coordinating  
8 board and the state board for community and technical colleges on the  
9 supply and demand for work force education and certificates and  
10 associate degrees.

11 (3) The board shall determine whether certain major lines of study  
12 or types of degrees, including applied degrees or research-oriented  
13 degrees, shall be assigned uniquely to some institutions or  
14 institutional sectors in order to create centers of excellence that  
15 focus resources and expertise.

16 (4) Creation of any new degree programs by a four-year institution  
17 and creation or modification of any off-campus programs by a four-year  
18 institution is subject to approval by the board. Institutions seeking  
19 board approval under this section must demonstrate that the proposal is  
20 justified by the needs assessment developed under this section.  
21 Institutions must also demonstrate how the proposals align with or  
22 implement the statewide strategic master plan for higher education  
23 under RCW 28B.80.345 (as recodified by this act).

24 (5) The board shall develop clear guidelines and objective  
25 decision-making criteria regarding approval of proposals under this  
26 section, which must include review and consultation with the  
27 institution and other interested agencies and individuals.

28 (6) New degree programs and creation or modification of off-campus  
29 programs by an independent college or university in collaboration with  
30 a community or technical college are subject to approval by the board.

31 (7) The board shall periodically recommend consolidation or  
32 elimination of programs at the four-year institutions, based on the  
33 needs assessment analysis.

34 **Sec. 10.** RCW 28B.80.280 and 1998 c 245 s 23 are each amended to  
35 read as follows:

36 The board shall(~~(, in cooperation with the state institutions of~~  
37 ~~higher education and the state board for community and technical~~

1 ~~colleges, establish and maintain a statewide transfer of credit policy~~  
2 ~~and agreement. The policy and agreement shall, where feasible, include~~  
3 ~~course and program descriptions consistent with statewide~~  
4 ~~interinstitutional guidelines)) adopt statewide transfer and~~  
5 ~~articulation policies that ensure efficient transfer of credits and~~  
6 ~~courses across public two and four-year institutions of higher~~  
7 ~~education. The intent of the policies is to create a statewide system~~  
8 ~~of articulation and alignment between two and four-year institutions.~~  
9 ~~Policies may address but are not limited to creation of a statewide~~  
10 ~~system of course equivalency, creation of transfer associate degrees,~~  
11 ~~statewide articulation agreements, applicability of technical courses~~  
12 ~~toward baccalaureate degrees, and other issues. The institutions of~~  
13 ~~higher education and the state board for community and technical~~  
14 ~~colleges shall cooperate with the board in developing the statewide~~  
15 ~~policies and shall provide support and staff resources as necessary to~~  
16 ~~assist in ((developing and)) maintaining ((this policy and agreement.~~  
17 ~~The statewide transfer of credit policy and agreement shall be~~  
18 ~~effective beginning with the 1985-86 academic year)) the policies. The~~  
19 ~~board shall submit a progress report to the higher education committees~~  
20 ~~of the senate and house of representatives by December 1, 2006, by~~  
21 ~~which time the legislature expects measurable improvement in alignment~~  
22 ~~and transfer efficiency.~~

23 NEW SECTION. Sec. 11. (1) The board shall establish an  
24 accountability monitoring and reporting system as part of a continuing  
25 effort to make meaningful and substantial progress towards the  
26 achievement of long-term performance goals in higher education.

27 (2) Based on guidelines prepared by the board, each four-year  
28 institution and the state board for community and technical colleges  
29 shall submit a biennial plan to achieve measurable and specific  
30 improvements each academic year on statewide and institution-specific  
31 performance measures. Plans shall be submitted to the board by August  
32 15th of each odd-numbered year. Performance measures established for  
33 the community and technical colleges shall reflect the role and mission  
34 of the colleges.

35 (3) The board shall set biennial performance targets for each four-  
36 year institution and for the community and technical college system and

1 shall review actual achievements annually. The state board for  
2 community and technical colleges shall set biennial performance targets  
3 for each college or district, where appropriate.

4 (4) The board shall submit a report on progress towards the  
5 statewide goals, with recommendations for the ensuing biennium, to the  
6 fiscal and higher education committees of the legislature by November  
7 15th of each odd-numbered year.

8 (5) The board, in collaboration with the four-year institutions and  
9 the state board for community and technical colleges, shall  
10 periodically review and update the accountability monitoring and  
11 reporting system.

12 NEW SECTION. **Sec. 12.** (1) The board shall collaborate with  
13 institutions of higher education and state agencies to identify data  
14 necessary for the board to carry out its responsibilities for policy  
15 analysis and accountability.

16 (2) The board shall convene a data advisory group including public  
17 and independent colleges and universities, the state board for  
18 community and technical colleges, the work force training and education  
19 coordinating board, the office of financial management, the office of  
20 the superintendent of public instruction, and the employment security  
21 department. The data advisory group shall work with the board to  
22 identify the most cost-effective manner for the board to collect or  
23 access data, recommend research priorities, and develop data protocols  
24 to ensure the validity and reliability of data, privacy of individual  
25 records, and, if necessary, consistency of data across institutions.

26 **Sec. 13.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read  
27 as follows:

28 The board shall ~~((coordinate educational activities among all  
29 segments of higher education taking into account the educational  
30 programs, facilities, and other resources of both public and  
31 independent two and four year colleges and universities. The four year  
32 institutions and the state board for community and technical colleges  
33 shall coordinate information and activities with the board. The board  
34 shall))~~ have the following additional policy responsibilities:

35 (1) ~~((Promote interinstitutional cooperation))~~ Perform periodic

1 analyses of tuition, financial aid, faculty compensation, institution  
2 funding levels, enrollment, and other policy issues and provide reports  
3 to the governor and the legislature;

4 (2) Establish minimum admission standards for four-year  
5 institutions, including a requirement that coursework in American sign  
6 language or an American Indian language shall satisfy any requirement  
7 for instruction in a language other than English that the board or the  
8 institutions may establish as a general undergraduate admissions  
9 requirement;

10 (3) ~~((Establish transfer policies;~~

11 ~~(4))~~ Adopt rules implementing statutory residency requirements;

12 ~~((5) Develop and administer reciprocity agreements with bordering~~  
13 ~~states and the province of British Columbia;~~

14 ~~(6) Review and recommend compensation practices and levels for~~  
15 ~~administrative employees, exempt under chapter 28B.16 RCW, and faculty~~  
16 ~~using comparative data from peer institutions;~~

17 ~~(7) Monitor higher education activities for compliance with all~~  
18 ~~relevant state policies for higher education;~~

19 ~~(8) Arbitrate disputes between and among four-year institutions or~~  
20 ~~between and among four-year institutions and community colleges at the~~  
21 ~~request of one or more of the institutions involved, or at the request~~  
22 ~~of the governor, or from a resolution adopted by the legislature. The~~  
23 ~~decision of the board shall be binding on the participants in the~~  
24 ~~dispute;~~

25 ~~(9) Establish and implement a state system for collecting,~~  
26 ~~analyzing, and distributing information;~~

27 ~~(10) Recommend to the governor and the legislature ways to remove~~  
28 ~~any economic incentives to use off-campus program funds for on-campus~~  
29 ~~activities; and~~

30 ~~(11))~~ (4) Make recommendations to increase minority participation,  
31 and monitor and report on the progress of minority participation in  
32 higher education;

33 (5) In cooperation with the institutions of higher education,  
34 propose and promote innovative programs to improve the quality of  
35 instruction, promote local and regional economic development, and  
36 enhance efficiency in higher education; and

37 (6) Recommend legislation affecting higher education.

1           **Sec. 14.** RCW 28B.10.044 and 1997 c 48 s 1 are each amended to read  
2 as follows:

3           (1) The (~~higher education coordinating~~) board shall annually  
4 develop information on the approximate amount of state support that  
5 students receive. For students at state-supported colleges and  
6 universities, the information shall include the approximate level of  
7 support received by students in each tuition category. That  
8 information may include consideration of the following: Expenditures  
9 included in the educational cost formula, revenue forgiven from waived  
10 tuition and fees, state-funded financial aid awarded to students at  
11 public institutions, and all or a portion of appropriated amounts not  
12 reflected in the educational cost formula for institutional programs  
13 and services that may affect or enhance the educational experience of  
14 students at a particular institution. For students attending a private  
15 college, university, or proprietary school, the information shall  
16 include the amount of state-funded financial aid awarded to students  
17 attending the institution.

18           (2) Beginning July 30, 1993, the board shall annually provide  
19 information appropriate to each institution's student body to each  
20 state-supported four-year institution of higher education and to the  
21 state board for community and technical colleges for distribution to  
22 community colleges and technical colleges.

23           (3) Beginning July 30, 1993, the board shall annually provide  
24 information on the level of financial aid received by students at that  
25 institution to each private university, college, or proprietary school,  
26 that enrolls students receiving state-funded financial aid.

27           (4) Beginning with the 1997 fall academic term, each institution of  
28 higher education described in subsection (2) or (3) of this section  
29 shall provide to students at the institution information on the  
30 approximate amount that the state is contributing to the support of  
31 their education. Information provided to students at each state-  
32 supported college and university shall include the approximate amount  
33 of state support received by students in each tuition category at that  
34 institution. The amount of state support shall be based on the  
35 information provided by the (~~higher education coordinating~~) board  
36 under subsections (1) through (3) of this section. The information  
37 shall be provided to students at the beginning of each academic term

1 through one or more of the following: Registration materials, class  
2 schedules, tuition and fee billing packets, student newspapers, or via  
3 e-mail or kiosk.

4 **Sec. 15.** RCW 28B.15.070 and 1995 1st sp.s. c 9 s 7 are each  
5 amended to read as follows:

6 (1) The (~~(higher education coordinating))~~ board, in consultation  
7 with the house of representatives and senate committees responsible for  
8 higher education, the respective fiscal committees of the house of  
9 representatives and senate, the office of financial management, the  
10 state board for community and technical colleges, and the state  
11 institutions of higher education, shall develop (~~(by December of every~~  
12 ~~fourth year beginning in 1989, definitions, criteria, and procedures~~  
13 ~~for determining))~~ standardized methods and protocols for measuring the  
14 undergraduate and graduate educational costs for the state  
15 universities, regional universities, and community colleges, including  
16 but not limited to the costs of instruction, costs to provide degrees  
17 in specific fields, and costs for precollege remediation.

18 (2) (~~(Every four years, the state institutions of higher education~~  
19 ~~in cooperation with the higher education coordinating board shall~~  
20 ~~perform an educational cost study pursuant to subsection (1) of this~~  
21 ~~section. The study shall be conducted based on every fourth academic~~  
22 ~~year beginning with 1989-90. Institutions shall complete the studies~~  
23 ~~within one year of the end of the study year and report the results to~~  
24 ~~the higher education coordinating board for consolidation, review, and~~  
25 ~~distribution.))~~ By December 1, 2004, the board must propose a schedule  
26 of regular cost study reports intended to meet the information needs of  
27 the governor's office and the legislature and the requirements of RCW  
28 28B.10.044 and submit the proposed schedule to the higher education and  
29 fiscal committees of the house of representatives and the senate for  
30 their review.

31 (3) (~~(In order to conduct the study required by subsection (2) of~~  
32 ~~this section, the higher education coordinating board, in cooperation~~  
33 ~~with))~~ The institutions of higher education(, ~~shall develop a~~  
34 ~~methodology that requires the collection of comparable educational cost~~  
35 ~~data, which utilizes a faculty activity analysis or similar~~  
36 ~~instrument))~~ shall participate in the development of cost study methods

1 and shall provide all necessary data in a timely fashion consistent  
2 with the protocols developed.

3 **Sec. 16.** RCW 28B.15.076 and 1995 1st sp.s. c 9 s 6 are each  
4 amended to read as follows:

5 The (~~higher education coordinating~~) board shall determine and  
6 transmit amounts constituting approved undergraduate and graduate  
7 educational costs to the several boards of regents and trustees of the  
8 state institutions of higher education by November 10 of each even-  
9 numbered year (~~except the year 1990 for which the transmittal shall be~~  
10 ~~made by December 17~~)).

11 **Sec. 17.** RCW 28B.80.175 and 1994 c 222 s 3 are each amended to  
12 read as follows:

13 The higher education coordinating board shall work with the state  
14 board of education to establish the (~~task force~~) work group under RCW  
15 28A.305.285.

16 **PART III**

17 **EDUCATION SERVICES ADMINISTRATION**

18 **Sec. 18.** RCW 28B.80.360 and 1998 c 245 s 24 are each amended to  
19 read as follows:

20 (~~The board shall perform the following administrative~~  
21 ~~responsibilities:~~

22 ~~(1))~~ In addition to administrative responsibilities assigned in  
23 this chapter, the board shall administer the programs set forth in the  
24 following statutes: RCW 28A.600.100 through 28A.600.150 (Washington  
25 scholars); (~~chapter 28B.04 RCW (displaced homemakers);~~) chapter  
26 28B.85 RCW (degree-granting institutions); (~~RCW 28B.10.210 through~~  
27 ~~28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824~~  
28 ~~(student financial aid program)~~) chapter 28B.-- RCW (as created in  
29 section 80 of this act) (state need grant); chapter 28B.12 RCW (work  
30 study); (~~RCW 28B.15.067 (establishing tuition and fees);~~) RCW  
31 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760  
32 through 28B.15.766 (math and science loans); (~~RCW 28B.80.150 through~~  
33 ~~28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid~~  
34 ~~programs); and RCW 28B.80.210 (federal programs).~~

1       ~~(2) Study the delegation of the administration of the following:~~  
2 ~~RCW 28B.65.040 through 28B.65.060 (high technology board); chapter~~  
3 ~~28B.85 RCW (degree granting institutions); RCW 28B.80.150 through~~  
4 ~~28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state~~  
5 ~~commission for federal law purposes); RCW 28B.80.210 (enumerated~~  
6 ~~federal programs); RCW 28B.80.230 (receipt of federal funds); RCW~~  
7 ~~28B.80.240 (student financial aid programs); RCW 28A.600.120 through~~  
8 ~~28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington~~  
9 ~~scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);~~  
10 ~~RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,~~  
11 ~~28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);~~  
12 ~~RCW 28B.12.040 through 28B.12.070 (student work study);) RCW~~  
13 ~~28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736~~  
14 ~~(Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho~~  
15 ~~reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia~~  
16 ~~reciprocity); ((and RCW 28B.15.760 through 28B.15.764 (math/science~~  
17 ~~loans)) chapter 28B.101 RCW (educational opportunity grant); chapter~~  
18 ~~28B.102 RCW (future teachers conditional scholarship); chapter 28B.108~~  
19 ~~RCW (American Indian endowed scholarship); chapter 28B.109 RCW~~  
20 ~~(Washington international exchange scholarship); chapter 28B.115 RCW~~  
21 ~~(health professional conditional scholarship); chapter 28B.119 RCW~~  
22 ~~(Washington promise scholarship); and chapter 28B.133 RCW (gaining~~  
23 ~~independence for students with dependents).~~

24       **Sec. 19.** RCW 28B.10.859 and 1989 c 187 s 1 are each amended to  
25 read as follows:

26       For the purposes of RCW 28B.10.866 through 28B.10.873 (as  
27 recodified by this act), "private donation" includes assessments by  
28 commodity commissions authorized to conduct research activities  
29 including but not limited to research studies authorized under RCW  
30 15.66.030 and 15.65.040.

31       **Sec. 20.** RCW 28B.10.868 and 1991 sp.s. c 13 s 99 are each amended  
32 to read as follows:

33       Funds appropriated by the legislature for the distinguished  
34 professorship program shall be deposited in the distinguished  
35 professorship trust fund. At the request of the higher education  
36 coordinating board under RCW 28B.10.870 (as recodified by this act),

1 the treasurer shall release the state matching funds to the designated  
2 institution's local endowment fund. No appropriation is required for  
3 expenditures from the fund.

4 **Sec. 21.** RCW 28B.10.873 and 1987 c 8 s 8 are each amended to read  
5 as follows:

6 A distinguished professorship program established under chapter  
7 343, Laws of 1985 shall continue to operate under RCW 28B.10.866  
8 through 28B.10.872 (as recodified by this act) and the requirements of  
9 RCW 28B.10.866 through 28B.10.872 (as recodified by this act) shall  
10 apply.

11 **Sec. 22.** RCW 28B.10.882 and 1991 sp.s. c 13 s 88 are each amended  
12 to read as follows:

13 Funds appropriated by the legislature for the graduate fellowship  
14 program shall be deposited in the graduate fellowship trust fund. At  
15 the request of the higher education coordinating board under RCW  
16 28B.10.884 (as recodified by this act), the treasurer shall release the  
17 state matching funds to the designated institution's local endowment  
18 fund. No appropriation is required for expenditures from the fund.

19 **Sec. 23.** RCW 28B.80.160 and 1995 c 217 s 1 are each amended to  
20 read as follows:

21 In the development of any such plans as called for within RCW  
22 28B.80.150 (as recodified by this act), the board shall use at least  
23 the following criteria:

24 (1) Students who are eligible to attend compact-authorized programs  
25 in other states shall meet the Washington residency requirements of  
26 chapter 28B.15 RCW prior to being awarded tuition assistance.

27 (2) For recipients named after January 1, 1995, the tuition  
28 assistance shall be in the form of loans that may be completely  
29 forgiven in exchange for the student's service within the state of  
30 Washington after graduation. The requirements for such service and  
31 provisions for loan forgiveness shall be determined in rules adopted by  
32 the board.

33 (3) If appropriations are insufficient to fund all students  
34 qualifying under subsection (1) of this section, then the plans shall

1 include criteria for student selection that would be in the best  
2 interest in meeting the state's educational needs, as well as  
3 recognizing the financial needs of students.

4 (4) Receipts from the payment of principal or interest or any other  
5 subsidies to which the board as administrator is entitled, that are  
6 paid by or on behalf of participants under this section, shall be  
7 deposited with the board and placed in an account created in this  
8 section and shall be used to cover the costs of granting the  
9 scholarships, maintaining necessary records, and making collections.  
10 The board shall maintain accurate records of these costs, and all  
11 receipts beyond those necessary to pay such costs shall be used to  
12 grant conditional loans to eligible students.

13 (5) The Washington interstate commission on higher education  
14 professional student exchange program trust fund is created in the  
15 custody of the state treasurer. All receipts from loan repayment shall  
16 be deposited into the fund. Only the higher education coordinating  
17 board, or its designee, may authorize expenditures from the fund. No  
18 appropriation is required for expenditures from this fund.

19 **Sec. 24.** RCW 28B.80.245 and 1999 c 159 s 3 are each amended to  
20 read as follows:

21 (1) Recipients of the Washington scholars award or the Washington  
22 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who  
23 choose to attend an independent college or university in this state, as  
24 defined in subsection (4) of this section, and recipients of the award  
25 named after June 30, 1994, who choose to attend a public college or  
26 university in the state may receive grants under this section if moneys  
27 are available. The higher education coordinating board shall  
28 distribute grants to eligible students under this section from moneys  
29 appropriated for this purpose. The individual grants shall not exceed,  
30 on a yearly basis, the yearly, full-time, resident, undergraduate  
31 tuition and service and activities fees in effect at the state-funded  
32 research universities. Grants to recipients attending an independent  
33 institution shall be contingent upon the institution matching on at  
34 least a dollar-for-dollar basis, either with actual money or by a  
35 waiver of fees, the amount of the grant received by the student from  
36 the state. The higher education coordinating board shall establish

1 procedures, by rule, to disburse the awards as direct grants to the  
2 students.

3 (2) The higher education coordinating board shall establish rules  
4 that provide for the annual awarding of grants, if moneys are  
5 available, to three Washington scholars per legislative district; and,  
6 if not used by an original recipient, to the Washington scholars-  
7 alternate from the same legislative district.

8 Beginning with scholars selected in the year 2000, if the  
9 recipients of grants fail to demonstrate in a timely manner that they  
10 will enroll in a Washington institution of higher education in the fall  
11 term of the academic year following the award of the grant or are  
12 deemed by the higher education coordinating board to have withdrawn  
13 from college during the first academic year following the award, then  
14 the grant shall be considered relinquished. The higher education  
15 coordinating board may then award any remaining grant amounts to the  
16 Washington scholars-alternate from the same legislative district if the  
17 grants are awarded within one calendar year of the recipient being  
18 named a Washington scholars-alternate. Washington scholars-alternates  
19 named as recipients of the grant must also demonstrate in a timely  
20 manner that they will enroll in a Washington institution of higher  
21 education during the next available term, as determined by the higher  
22 education coordinating board. The board may accept appeals and grant  
23 waivers to the enrollment requirements of this section based on  
24 exceptional mitigating circumstances of individual grant recipients.

25 To maintain eligibility for the grants, recipients must maintain a  
26 minimum grade point average at the college or university equivalent to  
27 3.30. Students shall be eligible to receive a maximum of twelve  
28 quarters or eight semesters of grants for undergraduate study and may  
29 transfer among in-state public and independent colleges and  
30 universities during that period and continue to receive the grant as  
31 provided under RCW 28B.80.246 (as recodified by this act). If the  
32 student's cumulative grade point average falls below 3.30 during the  
33 first three quarters or two semesters, that student may petition the  
34 higher education coordinating board which shall have the authority to  
35 establish a probationary period until such time as the student's grade  
36 point average meets required standards.

37 (3) No grant shall be awarded to any student who is pursuing a  
38 degree in theology.

1 (4) As used in this section, "independent college or university"  
2 means a private, nonprofit educational institution, the main campus of  
3 which is permanently situated in the state, open to residents of the  
4 state, providing programs of education beyond the high school level  
5 leading at least to the baccalaureate degree, and accredited by the  
6 northwest association of schools and colleges as of June 9, 1988, and  
7 other institutions as may be developed that are approved by the higher  
8 education coordinating board as meeting equivalent standards as those  
9 institutions accredited under this section.

10 (5) As used in this section, "public college or university" means  
11 an institution of higher education as defined in RCW 28B.10.016.

12 **Sec. 25.** RCW 28B.80.246 and 1995 1st sp.s. c 5 s 4 are each  
13 amended to read as follows:

14 Students receiving grants under RCW 28B.80.245 (as recodified by  
15 this act) or waivers under RCW 28B.15.543 are entitled to transfer  
16 among in-state public and independent colleges or universities and to  
17 continue to receive award benefits, as provided in this section, in the  
18 form of a grant or waiver of tuition and services and activities fees  
19 while enrolled at such institutions during the period of eligibility.  
20 The total grants or waivers for any one student shall not exceed twelve  
21 quarters or eight semesters of undergraduate study.

22 (1) Scholars named to the award on or before June 30, 1994, may  
23 transfer between in-state public institutions, or from an eligible  
24 independent college or university to an in-state public institution of  
25 higher education, and are entitled to receive the waiver of tuition and  
26 services and activities fees.

27 (2) Scholars named to the award on or before June 30, 1994, may  
28 transfer from an in-state public institution to an eligible independent  
29 college or university, or between eligible independent colleges or  
30 universities, and continue to receive a grant contingent upon available  
31 funding.

32 (3) Scholars named to the award after June 30, 1994, may transfer  
33 among in-state public or private colleges and universities and continue  
34 to receive the grant contingent upon available funding.

35 (4) In addition, scholars who transfer to an eligible independent  
36 institution may receive the grant contingent upon the agreement of the

1 school to match on at least a dollar-for-dollar basis, either with  
2 actual money or by a waiver of fees, the amount of the grant received  
3 by the student from the state.

4 **Sec. 26.** RCW 28B.80.620 and 1999 c 177 s 2 are each amended to  
5 read as follows:

6 (1) The higher education coordinating board, in consultation with  
7 the state board of education has the following powers and duties in  
8 administering the pilot program established in RCW 28B.80.622 (as  
9 recodified by this act):

10 (a) To adopt rules necessary to carry out the program;

11 (b) To establish one or more review committees to assist in the  
12 evaluation of proposals for funding. The review committee shall  
13 include individuals with significant experience in higher education in  
14 areas relevant to one or more of the funding period priorities and  
15 shall include representatives from elementary, two-year, and four-year  
16 sectors of education;

17 (c) To award grants no later than September 1st in those years when  
18 funding is available by June 30th;

19 (d) To establish each biennium specific guidelines for submitting  
20 grant proposals consistent with the overall goals of the program.  
21 During the 1999-2001 biennium, the guidelines shall be consistent with  
22 the following desired outcomes of:

23 (i) Designing a college-level course for enrollment of selected  
24 high school seniors interested in teaching careers and students  
25 enrolled in a school-based future teachers academy;

26 (ii) Designing discipline-based lower division courses that are  
27 thematically linked to state student learning goals, essential academic  
28 learning requirements, and upper division courses in the  
29 interdisciplinary arts and science curriculum and supportive of  
30 teaching areas appropriate for prospective teachers;

31 (iii) Designing a preprofessional educational studies minor that  
32 would be pursued by prospective kindergarten through eighth grade  
33 teachers in conjunction with an interdisciplinary arts and science  
34 major;

35 (iv) Designing mentoring and service learning activities at the  
36 community college level that would provide prospective teachers with an  
37 orientation to professional education; and

1 (v) Designing a process for satisfying certification requirements  
2 that encompasses pedagogical coursework and school-based internships  
3 cognizant of the financial constraints of working students.

4 (2) The pilot project in this section shall conclude no later than  
5 January 1, 2005.

6 (3) Beginning on December 31, 2001, the higher education  
7 coordinating board shall submit an annual written report to the  
8 education and higher education committees of the legislature, the state  
9 board of education, and the office of the superintendent of public  
10 instruction on the status of the pilot project.

11 **Sec. 27.** RCW 28B.80.626 and 1999 c 177 s 5 are each amended to  
12 read as follows:

13 The higher education coordinating board teacher training pilot  
14 account is established in the custody of the state treasurer. The  
15 higher education coordinating board shall deposit in the account all  
16 moneys received under RCW 28B.80.624 (as recodified by this act).  
17 Moneys in the account may be spent only for the purposes of RCW  
18 28B.80.622 (as recodified by this act). Disbursements from the account  
19 shall be on the authorization of the higher education coordinating  
20 board. The account is subject to the allotment procedure provided  
21 under chapter 43.88 RCW, but no appropriation is required for  
22 disbursements.

23 **PART IV**

24 **TRANSFER DISPLACED HOMEMAKER PROGRAM**

25 NEW SECTION. **Sec. 28.** (1) The powers, duties, and functions of  
26 administering the displaced homemaker program under chapter 28B.04 RCW  
27 are hereby transferred from the higher education coordinating board to  
28 the state board for community and technical colleges.

29 (2)(a) All reports, documents, surveys, books, records, files,  
30 papers, or written material in the possession of the higher education  
31 coordinating board related to the displaced homemaker program shall be  
32 delivered to the custody of the state board for community and technical  
33 colleges. All cabinets, furniture, office equipment, motor vehicles,  
34 and other tangible property employed by the higher education  
35 coordinating board for the displaced homemaker program shall be made

1 available to the state board for community and technical colleges. All  
2 funds, credits, or other assets held by the higher education  
3 coordinating board for the displaced homemaker program shall be  
4 assigned to the state board for community and technical colleges.

5 (b) If any question arises as to the transfer of any personnel,  
6 funds, books, documents, records, papers, files, equipment, or other  
7 tangible property used or held in the exercise of the powers and the  
8 performance of the duties and functions transferred, the director of  
9 financial management shall make a determination as to the proper  
10 allocation and certify the same to the state agencies concerned.

11 (c) Any appropriations made in connection with the powers, duties,  
12 and functions transferred by this act shall, on the effective date of  
13 this section, be transferred and credited to the state board for  
14 community and technical colleges.

15 (3) All employees of the higher education coordinating board  
16 related to the displaced homemaker program are transferred to the  
17 jurisdiction of the state board for community and technical colleges.  
18 All employees classified under chapter 41.06 RCW, the state civil  
19 service law, are assigned to the state board for community and  
20 technical colleges to perform their usual duties upon the same terms as  
21 formerly, without any loss of rights, subject to any action that may be  
22 appropriate thereafter in accordance with the laws and rules governing  
23 state civil service.

24 (4) All rules and all pending business before the higher education  
25 coordinating board related to the displaced homemaker program shall be  
26 continued and acted upon by the state board for community and technical  
27 colleges. All existing contracts and obligations shall remain in full  
28 force and shall be performed by the state board for community and  
29 technical colleges.

30 (5) The transfer of the powers, duties, functions, and personnel of  
31 the higher education coordinating board related to the displaced  
32 homemaker program shall not affect the validity of any act performed  
33 before the effective date of this section.

34 (6) If apportionments of budgeted funds are required because of the  
35 transfers directed by this section, the director of financial  
36 management shall certify the apportionments to the agencies affected,  
37 the state auditor, and the state treasurer. Each of these shall make

1 the appropriate transfer and adjustments in funds and appropriation  
2 accounts and equipment records in accordance with the certification.

3 **Sec. 29.** RCW 28B.04.020 and 1985 c 370 s 36 are each amended to  
4 read as follows:

5 The legislature finds that homemakers are an unrecognized part of  
6 the work force who make an invaluable contribution to the strength,  
7 durability, and purpose of our state.

8 The legislature further finds that there is an increasing number of  
9 persons in this state who, having fulfilled a role as homemaker, find  
10 themselves "displaced" in their middle years through divorce, death of  
11 spouse, disability of spouse, or other loss of family income of a  
12 spouse. As a consequence, displaced homemakers are very often left  
13 with little or no income; they are ineligible for categorical welfare  
14 assistance; they are subject to the highest rate of unemployment of any  
15 sector of the work force; they face continuing discrimination in  
16 employment because of their age and lack of recent paid work  
17 experience; they are ineligible for unemployment insurance because they  
18 have been engaged in unpaid labor in the home; they are ineligible for  
19 social security benefits because they are too young, and many never  
20 qualify because they have been divorced from the family wage earner;  
21 they may have lost beneficiaries' rights under employer's pension and  
22 health plans through divorce or death of spouse; and they are often  
23 unacceptable to private health insurance plans because of their age.

24 It is the purpose of this chapter to establish guidelines under  
25 which the ((higher education coordinating board)) state board for  
26 community and technical colleges shall contract to establish  
27 multipurpose service centers and programs to provide necessary training  
28 opportunities, counseling, and services for displaced homemakers so  
29 that they may enjoy the independence and economic security vital to a  
30 productive life.

31 **Sec. 30.** RCW 28B.04.030 and 1985 c 370 s 37 are each amended to  
32 read as follows:

33 Unless the context clearly requires otherwise, the definitions in  
34 this section apply throughout this chapter.

35 (1) "Board" means the ((higher education coordinating board)) state  
36 board for community and technical colleges.

1 (2) "Center" means a multipurpose service center for displaced  
2 homemakers as described in RCW 28B.04.040.

3 (3) "Program" means those programs described in RCW 28B.04.050  
4 which provide direct, outreach, and information and training services  
5 which serve the needs of displaced homemakers.

6 (4) "Displaced homemaker" means an individual who:

7 (a) Has worked in the home for ten or more years providing  
8 unsalaried household services for family members on a full-time basis;  
9 and

10 (b) Is not gainfully employed;

11 (c) Needs assistance in securing employment; and

12 (d) Has been dependent on the income of another family member but  
13 is no longer supported by that income, or has been dependent on federal  
14 assistance but is no longer eligible for that assistance, or is  
15 supported as the parent of minor children by public assistance or  
16 spousal support but whose children are within two years of reaching  
17 their majority.

18 **Sec. 31.** RCW 28B.04.080 and 1985 c 370 s 42 are each amended to  
19 read as follows:

20 (1) The board shall consult and cooperate with the department of  
21 social and health services; the (~~state board for community college~~  
22 ~~education~~) higher education coordinating board; the superintendent of  
23 public instruction; the (~~commission for vocational education~~) work  
24 force training and education coordinating board; the employment  
25 security department; the department of labor and industries; sponsoring  
26 agencies under the federal comprehensive employment and training act  
27 (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or  
28 agencies as the board deems appropriate to facilitate the coordination  
29 of centers established under this chapter with existing programs of a  
30 similar nature.

31 (2) Annually on July 1st, each agency listed in subsection (1) of  
32 this section shall submit a description of each service or program  
33 under its jurisdiction which would support the programs and centers  
34 established by this chapter and the funds available for such support.

35 (3) The board shall serve as a clearinghouse for displaced  
36 homemaker information and resources and shall compile and disseminate

1 statewide information to the centers, related agencies, and interested  
2 persons upon request.

3 **Sec. 32.** RCW 28B.04.085 and 1987 c 230 s 2 are each amended to  
4 read as follows:

5 (1) The executive coordinator of the (~~higher education~~  
6 ~~coordinating~~) board shall establish an advisory committee, to be known  
7 as the displaced homemaker program advisory committee.

8 (2) The advisory committee shall be advisory to the executive  
9 coordinator and staff of the board.

10 (3) Committee membership shall not exceed twenty-two persons and  
11 shall be geographically and generally representative of the state. At  
12 least one member of the advisory committee shall either be or recently  
13 have been a displaced homemaker.

14 (4) Functions of the advisory committee shall be:

15 (a) To provide advice on all aspects of administration of the  
16 displaced homemaker program, including content of program rules,  
17 guidelines, and application procedures;

18 (b) To assist in coordination of activities under the displaced  
19 homemaker program with related activities of other state and federal  
20 agencies, with particular emphasis on facilitation of coordinated  
21 funding.

22 NEW SECTION. **Sec. 33.** Sections 28 through 32 of this act take  
23 effect July 1, 2004.

24 **PART V**  
25 **STATE NEED GRANT**

26 **Sec. 34.** RCW 28B.10.800 and 1999 c 345 s 2 are each amended to  
27 read as follows:

28 The purposes of (~~RCW 28B.10.800 through 28B.10.824~~) this chapter  
29 are to establish the principles upon which the state financial aid  
30 programs will be based and to establish the state of Washington state  
31 need grant program, thus assisting financially needy or disadvantaged  
32 students domiciled in Washington to obtain the opportunity of attending  
33 an accredited institution of higher education(~~, as defined in RCW~~

1 ~~28B.10.802(1))~~. State need grants under (~~RCW 28B.10.800 through~~  
2 ~~28B.10.824~~) this chapter are available only to students who are  
3 resident students as defined in RCW 28B.15.012(2) (a) through (d).

4 **Sec. 35.** RCW 28B.10.802 and 2002 c 187 s 1 are each amended to  
5 read as follows:

6 As used in (~~RCW 28B.10.800 through 28B.10.824~~) this chapter:

7 (1) "Institution or institutions of higher education" (~~shall mean~~  
8 ~~(1) [(a)]~~) means:

9 (a) Any public university, college, community college, or  
10 (~~vocational technical institute~~) technical college operated by the  
11 state of Washington or any political subdivision thereof; or

12 (~~(2) [(b)]~~) (b) Any other university, college, school, or  
13 institute in the state of Washington offering instruction beyond the  
14 high school level which is a member institution of an accrediting  
15 association recognized by rule of the board for the purposes of this  
16 section: PROVIDED, That any institution, branch, extension or facility  
17 operating within the state of Washington which is affiliated with an  
18 institution operating in another state must be a separately accredited  
19 member institution of any such accrediting association, or a branch of  
20 a member institution of an accrediting association recognized by rule  
21 of the board for purposes of this section, that is eligible for federal  
22 student financial aid assistance and has operated as a nonprofit  
23 college or university delivering on-site classroom instruction for a  
24 minimum of twenty consecutive years within the state of Washington, and  
25 has an annual enrollment of at least seven hundred full-time equivalent  
26 students: PROVIDED FURTHER, That no institution of higher education  
27 shall be eligible to participate in a student financial aid program  
28 unless it agrees to and complies with program rules and regulations  
29 adopted pursuant to RCW 28B.10.822 (as recodified by this act).

30 (2) (~~The term~~) "Financial aid" (~~shall mean~~) means loans and/or  
31 grants to needy students enrolled or accepted for enrollment as a  
32 student at institutions of higher education.

33 (3) (~~The term~~) "Needy student" (~~shall mean~~) means a post high  
34 school student of an institution of higher (~~learning as defined in~~  
35 ~~subsection (1) of this section~~) education who demonstrates to the  
36 board the financial inability, either through the student's parents,

1 family and/or personally, to meet the total cost of board, room, books,  
2 and tuition and incidental fees for any semester or quarter.

3 (~~The term~~) "Disadvantaged student" (~~shall mean~~) means a  
4 post high school student who by reason of adverse cultural,  
5 educational, environmental, experiential, familial or other  
6 circumstances is unable to qualify for enrollment as a full time  
7 student in an institution of higher (~~learning~~) education, who would  
8 otherwise qualify as a needy student, and who is attending an  
9 institution of higher (~~learning~~) education under an established  
10 program designed to qualify the student for enrollment as a full time  
11 student.

12 (~~"Commission" or~~) "Board" (~~shall mean~~) means the higher  
13 education coordinating board.

14 **Sec. 36.** RCW 28B.10.804 and 1999 c 345 s 3 are each amended to  
15 read as follows:

16 The board shall be cognizant of the following guidelines in the  
17 performance of its duties:

18 (1) The board shall be research oriented, not only at its inception  
19 but continually through its existence.

20 (2) The board shall coordinate all existing programs of financial  
21 aid except those specifically dedicated to a particular institution by  
22 the donor.

23 (3) The board shall take the initiative and responsibility for  
24 coordinating all federal student financial aid programs to ensure that  
25 the state recognizes the maximum potential effect of these programs,  
26 and shall design state programs that complement existing federal,  
27 state, and institutional programs. The board shall ensure that state  
28 programs continue to follow the principle that state financial aid  
29 funding follows the student to the student's choice of institution of  
30 higher education.

31 (4) Counseling is a paramount function of the state need grant and  
32 other state student financial aid programs, and in most cases could  
33 only be properly implemented at the institutional levels; therefore,  
34 state student financial aid programs shall be concerned with the  
35 attainment of those goals which, in the judgment of the board, are the  
36 reasons for the existence of a student financial aid program, and not  
37 solely with administration of the program on an individual basis.

1 (5) The "package" approach of combining loans, grants and  
2 employment for student financial aid shall be the conceptual element of  
3 the state's involvement.

4 (6) The board shall ensure that allocations of state appropriations  
5 for financial aid are made to individuals and institutions in a timely  
6 manner and shall closely monitor expenditures to avoid under or  
7 overexpenditure of appropriated funds.

8 **Sec. 37.** RCW 28B.10.808 and 1999 c 345 s 5 are each amended to  
9 read as follows:

10 In awarding need grants, the board shall proceed substantially as  
11 follows: PROVIDED, That nothing contained herein shall be construed to  
12 prevent the board, in the exercise of its sound discretion, from  
13 following another procedure when the best interest of the program so  
14 dictates:

15 (1) The board shall annually select the financial aid award  
16 recipients from among Washington residents applying for student  
17 financial aid who have been ranked according to financial need as  
18 determined by the amount of the family contribution and other  
19 considerations brought to the board's attention.

20 (2) The financial need of the highest ranked students shall be met  
21 by grants depending upon the evaluation of financial need until the  
22 total allocation has been disbursed. Funds from grants which are  
23 declined, forfeited or otherwise unused shall be reawarded until  
24 dispersed.

25 (3) A student shall be eligible to receive a state need grant for  
26 up to five years, or the credit or clock hour equivalent of five years,  
27 or up to one hundred twenty-five percent of the published length of  
28 time of the student's program. A student may not start a new associate  
29 degree program as a state need grant recipient until at least five  
30 years have elapsed since earning an associate degree as a need grant  
31 recipient, except that a student may earn two associate degrees  
32 concurrently. Qualifications for renewal will include maintaining  
33 satisfactory academic progress toward completion of an eligible program  
34 as determined by the board. Should the recipient terminate his or her  
35 enrollment for any reason during the academic year, the unused portion  
36 of the grant shall be returned to the state educational grant fund by

1 the institution according to the institution's own policy for issuing  
2 refunds, except as provided in RCW 28B.10.8081 (as recodified by this  
3 act).

4 (4) In computing financial need, the board shall determine a  
5 maximum student expense budget allowance, not to exceed an amount equal  
6 to the total maximum student expense budget at the public institutions  
7 plus the current average state appropriation per student for operating  
8 expense in the public institutions.

9 **Sec. 38.** RCW 28B.10.8081 and 1991 c 164 s 3 are each amended to  
10 read as follows:

11 Under rules adopted by the board, the provisions of RCW  
12 28B.10.808(3) (as recodified by this act) shall not apply to eligible  
13 students, as defined in RCW 28B.10.017, and eligible students shall not  
14 be required to repay the unused portions of grants received under the  
15 state student financial aid program.

16 **Sec. 39.** RCW 28B.10.810 and 1999 c 345 s 6 are each amended to  
17 read as follows:

18 For a student to be eligible for a state need grant a student must:

19 (1) Be a "needy student" or "disadvantaged student" as determined  
20 by the board in accordance with RCW 28B.10.802 (3) and (4) (as  
21 recodified by this act).

22 (2) Have been domiciled within the state of Washington for at least  
23 one year.

24 (3) Be enrolled or accepted for enrollment on at least a half-time  
25 basis at an institution of higher education in Washington as defined in  
26 RCW 28B.10.802(1) (as recodified by this act).

27 (4) Have complied with all the rules and regulations adopted by the  
28 board for the administration of (~~RCW 28B.10.800 through 28B.10.824~~)  
29 this chapter.

30 **Sec. 40.** RCW 28B.10.816 and 1969 ex.s. c 222 s 16 are each amended  
31 to read as follows:

32 A state financial aid recipient under (~~RCW 28B.10.800 through~~  
33 ~~28B.10.824~~) this chapter shall apply the award toward the cost of  
34 tuition, room, board, books and fees at the institution of higher  
35 education attended.

1       **Sec. 41.** RCW 28B.10.818 and 1969 ex.s. c 222 s 17 are each amended  
2 to read as follows:

3       Funds appropriated for student financial assistance to be granted  
4 pursuant to (~~RCW 28B.10.800 through 28B.10.824~~) this chapter shall be  
5 disbursed as determined by the (~~commission~~) board.

6       **Sec. 42.** RCW 28B.10.820 and 1969 ex.s. c 222 s 18 are each amended  
7 to read as follows:

8       The (~~commission~~) board shall be authorized to accept grants,  
9 gifts, bequests, and devises of real and personal property from any  
10 source for the purpose of granting financial aid in addition to that  
11 funded by the state.

12       **Sec. 43.** RCW 28B.10.822 and 1999 c 345 s 7 are each amended to  
13 read as follows:

14       The board shall adopt rules as may be necessary or appropriate for  
15 effecting the provisions of (~~RCW 28B.10.800 through 28B.10.824 and~~  
16 ~~28B.10.801, and not in conflict with RCW 28B.10.800 through~~  
17 ~~28B.10.824~~) this chapter, in accordance with the provisions of chapter  
18 34.05 RCW, the administrative procedure act.

19       **Sec. 44.** RCW 28B.10.790 and 1985 c 370 s 54 are each amended to  
20 read as follows:

21       Washington residents attending any nonprofit college or university  
22 in another state which has a reciprocity agreement with the state of  
23 Washington shall be eligible for the student financial aid program  
24 outlined in (~~RCW 28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW  
25 (as created in section 80 of this act) if (1) they qualify as a "needy  
26 student" under RCW 28B.10.802(3) (as recodified by this act), and (2)  
27 the institution attended is a member institution of an accrediting  
28 association recognized by rule of the higher education coordinating  
29 board for the purposes of this section and is specifically encompassed  
30 within or directly affected by such reciprocity agreement and agrees to  
31 and complies with program rules and regulations pertaining to such  
32 students and institutions adopted pursuant to RCW 28B.10.822 (as  
33 recodified by this act).

PART VI  
MISCELLANEOUS

**Sec. 45.** RCW 28A.305.285 and 1997 c 222 s 3 are each amended to read as follows:

~~((By May 1, 1994, or as soon as possible thereafter))~~ The legislature finds that state education agencies, institutions of higher education, and local school districts must work together to improve coordination, articulation, and transitions among the state's systems of education. The goal of improved coordination is increased student success. To help achieve this goal, the higher education coordinating board and the state board of education shall convene a ~~((task force creating))~~ standing work group to create a forum for ongoing discussion ~~((of curriculum))~~ and work on issues that transect higher education and the common schools. ((In selecting members of the task force, the boards shall consult the office of the superintendent of public instruction, the commission on student learning, the state board for community and technical colleges, the work force training and education coordinating board, the Washington council on high school college relations, representatives of the four year institutions, representatives of the school directors, the school and district administrators, teachers, higher education faculty, students, counselors, vocational directors, parents, and other interested organizations. The process shall be designed to provide advice and counsel to the appropriate boards on)) Topics ~~((that))~~ to be addressed by the work group may include but are not limited to: (1) The changing nature of educational instruction and crediting, and awarding appropriate credit for knowledge and competencies learned in a variety of ways in both institutions of higher education and high schools; (2) expansion of dual enrollment options for students ~~((to enroll in programs and institutions that will best meet the students' needs and educational goals; and))~~; (3) articulation agreements between institutions of higher education and high schools; and (4) improved alignment of high school college preparatory curriculum and college entrance requirements. By September 1, 2005, the work group shall create a work plan for the following year and submit the plan to the education and higher education committees of the senate and house of representatives. The work group shall submit periodic progress reports

1 and new work plans to the committees to keep members of the legislature  
2 apprised of emerging issues that transect education sectors.

3 **Sec. 46.** RCW 28B.10.650 and 1985 c 370 s 53 are each amended to  
4 read as follows:

5 It is the intent of the legislature that when the state and  
6 regional universities, The Evergreen State College, and community  
7 colleges grant professional leaves to faculty and exempt staff, such  
8 leaves be for the purpose of providing opportunities for study,  
9 research, and creative activities for the enhancement of the  
10 institution's instructional and research programs.

11 The boards of regents of the state universities, the boards of  
12 trustees of the regional universities and of The Evergreen State  
13 College and the board of trustees of each community college district  
14 may grant remunerated professional leaves to faculty members and exempt  
15 staff, as defined in RCW (~~(28B.16.040)~~) 41.06.070, in accordance with  
16 regulations adopted by the respective governing boards for periods not  
17 to exceed twelve consecutive months in accordance with the following  
18 provisions:

19 (1) The remuneration from state general funds and general local  
20 funds for any such leave granted for any academic year shall not exceed  
21 the average of the highest quartile of a rank order of salaries of all  
22 full time teaching faculty holding academic year contracts or  
23 appointments at the institution or in the district.

24 (2) Remunerated professional leaves for a period of more or less  
25 than an academic year shall be compensated at rates not to exceed a  
26 proportional amount of the average salary as otherwise calculated for  
27 the purposes of subsection (1) of this section.

28 (3) The grant of any such professional leave shall be contingent  
29 upon a signed contractual agreement between the respective governing  
30 board and the recipient providing that the recipient shall return to  
31 the granting institution or district following his or her completion of  
32 such leave and serve in a professional status for a period commensurate  
33 with the amount of leave so granted. Failure to comply with the  
34 provisions of such signed agreement shall constitute an obligation of  
35 the recipient to repay to the institution any remuneration received  
36 from the institution during the leave.

1 (4) The aggregate cost of remunerated professional leaves awarded  
2 at the institution or district during any year, including the cost of  
3 replacement personnel, shall not exceed the cost of salaries which  
4 otherwise would have been paid to personnel on leaves: PROVIDED, That  
5 for community college districts the aggregate cost shall not exceed one  
6 hundred fifty percent of the cost of salaries which would have  
7 otherwise been paid to personnel on leaves: PROVIDED FURTHER, That  
8 this subsection shall not apply to any community college district with  
9 fewer than seventy-five full time faculty members and granting fewer  
10 than three individuals such leaves in any given year.

11 (5) The average number of annual remunerated professional leaves  
12 awarded at any such institution or district shall not exceed four  
13 percent of the total number of full time equivalent faculty, as defined  
14 by the office of financial management, who are engaged in instruction,  
15 and exempt staff as defined in RCW (~~(28B.16.040)~~) 41.06.070.

16 (6) Negotiated agreements made in accordance with chapter 28B.52  
17 RCW and entered into after July 1, 1977, shall be in conformance with  
18 the provisions of this section.

19 (7) The respective institutions and districts shall maintain such  
20 information which will ensure compliance with the provisions of this  
21 section. (~~(The higher education coordinating board shall periodically  
22 request such information as to ensure institutions are in compliance.)~~)

23 **Sec. 47.** RCW 28A.600.110 and 1994 c 234 s 4 are each amended to  
24 read as follows:

25 There is established by the legislature of the state of Washington  
26 the Washington state scholars program. The purposes of this program  
27 annually are to:

28 (1) Provide for the selection of three seniors residing in each  
29 legislative district in the state graduating from high schools who have  
30 distinguished themselves academically among their peers.

31 (2) Maximize public awareness of the academic achievement,  
32 leadership ability, and community contribution of Washington state  
33 public and private high school seniors through appropriate recognition  
34 ceremonies and events at both the local and state level.

35 (3) Provide a listing of the Washington scholars to all Washington  
36 state public and private colleges and universities to facilitate  
37 communication regarding academic programs and scholarship availability.

1 (4) Make available a state level mechanism for utilization of  
2 private funds for scholarship awards to outstanding high school  
3 seniors.

4 (5) Provide, on written request and with student permission, a  
5 listing of the Washington scholars to private scholarship selection  
6 committees for notification of scholarship availability.

7 (6) Permit a waiver of tuition and services and activities fees as  
8 provided for in RCW 28B.15.543 and grants under RCW 28B.80.245 (as  
9 recodified by this act).

10 **Sec. 48.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to  
11 read as follows:

12 The superintendent of public instruction, the state board for  
13 community and technical colleges, and the higher education coordinating  
14 board shall jointly develop and adopt rules governing RCW 28A.600.300  
15 through 28A.600.380 and other dual enrollment programs, if rules are  
16 necessary. The rules shall be written to encourage the maximum use of  
17 the program and shall not narrow or limit the enrollment options under  
18 RCW 28A.600.300 through 28A.600.380. "Dual enrollment programs" are  
19 defined as those courses allowing high school students the ability to  
20 earn postsecondary course credits and high school credits toward  
21 graduation concurrently.

22 **Sec. 49.** RCW 28B.10.020 and 1985 c 370 s 50 are each amended to  
23 read as follows:

24 The boards of regents of the University of Washington and  
25 Washington State University, respectively, and the boards of trustees  
26 of Central Washington University, Eastern Washington University,  
27 Western Washington University, and The Evergreen State College,  
28 respectively, shall have the power and authority to acquire by  
29 exchange, gift, purchase, lease, or condemnation in the manner provided  
30 by chapter 8.04 RCW for condemnation of property for public use, such  
31 lands, real estate and other property, and interests therein as they  
32 may deem necessary for the use of said institutions respectively.  
33 ~~((However, the purchase or lease of major off-campus facilities is~~  
34 ~~subject to the approval of the higher education coordinating board~~  
35 ~~under RCW 28B.80.340.))~~

1       **Sec. 50.** RCW 28B.10.050 and 1985 c 370 s 91 are each amended to  
2 read as follows:

3       Except as the legislature shall otherwise specifically direct, the  
4 boards of regents and the boards of trustees for the state  
5 universities, the regional universities, and The Evergreen State  
6 College may establish entrance requirements for their respective  
7 institutions of higher education which meet or exceed the minimum  
8 entrance requirements established under RCW 28B.80.350(2) (as  
9 recodified by this act).

10       **Sec. 51.** RCW 28B.15.543 and 1995 1st sp.s. c 5 s 2 are each  
11 amended to read as follows:

12       (1) Subject to the limitations of RCW 28B.15.910, the governing  
13 boards of the state universities, the regional universities, The  
14 Evergreen State College, and the community colleges shall waive tuition  
15 and service and activities fees for students named by the higher  
16 education coordinating board on or before June 30, 1994, as recipients  
17 of the Washington scholars award under RCW 28A.600.100 through  
18 28A.600.150. The waivers shall be used only for undergraduate studies.  
19 To qualify for the waiver, recipients shall enter the college or  
20 university within three years of high school graduation and maintain a  
21 minimum grade point average at the college or university equivalent to  
22 3.30. Students shall be eligible to receive a maximum of twelve  
23 quarters or eight semesters of waivers and may transfer among state-  
24 supported institutions of higher education during that period and  
25 continue to have the tuition and services and activities fees waived by  
26 the state-supported institution of higher education that the student  
27 attends. Should the student's cumulative grade point average fall  
28 below 3.30 during the first three quarters or two semesters, that  
29 student may petition the higher education coordinating board which  
30 shall have the authority to establish a probationary period until such  
31 time as the student's grade point average meets required standards.

32       (2) Students named by the higher education coordinating board after  
33 June 30, 1994, as recipients of the Washington scholars award under RCW  
34 28A.600.100 through 28A.600.150 shall be eligible to receive a grant  
35 for undergraduate course work as authorized under RCW 28B.80.245 (as  
36 recodified by this act).



|   |                                   |            |
|---|-----------------------------------|------------|
| 1 | (b) Washington State University   | 20 percent |
| 2 | (c) Eastern Washington University | 11 percent |
| 3 | (d) Central Washington University | 8 percent  |
| 4 | (e) Western Washington University | 10 percent |
| 5 | (f) The Evergreen State College   | 6 percent  |
| 6 | (g) Community colleges as a whole | 35 percent |

7 (2) The limitations in subsection (1) of this section apply to  
8 waivers, exemptions, or reductions in operating fees contained in the  
9 following:

- 10 (a) RCW 28B.10.265;
- 11 (b) RCW 28B.15.014;
- 12 (c) RCW 28B.15.100;
- 13 (d) RCW 28B.15.225;
- 14 (e) RCW 28B.15.380;
- 15 (f) RCW 28B.15.520;
- 16 (g) RCW 28B.15.526;
- 17 (h) RCW 28B.15.527;
- 18 (i) RCW 28B.15.543;
- 19 (j) RCW 28B.15.545;
- 20 (k) RCW 28B.15.555;
- 21 (l) RCW 28B.15.556;
- 22 (m) RCW 28B.15.615;
- 23 (n) RCW 28B.15.620;
- 24 (o) RCW 28B.15.628;
- 25 (p) RCW 28B.15.730;
- 26 (q) RCW 28B.15.740;
- 27 (r) RCW 28B.15.750;
- 28 (s) RCW 28B.15.756;
- 29 (t) RCW 28B.50.259;
- 30 (u) RCW 28B.70.050; and
- 31 (v) ((~~RCW 28B.80.580~~; and

32 ~~(w)~~)) During the 1997-99 fiscal biennium, the western interstate  
33 commission for higher education undergraduate exchange program for  
34 students attending Eastern Washington University.

35 (3) The limitations in subsection (1) of this section do not apply  
36 to waivers, exemptions, or reductions in services and activities fees  
37 contained in the following:

- 38 (a) RCW 28B.15.522;

1 (b) RCW 28B.15.540; and

2 (c) RCW 28B.15.558.

3 (4) The total amount of operating fees revenue waived, exempted, or  
4 reduced by institutions of higher education participating in the  
5 western interstate commission for higher education western  
6 undergraduate exchange program under RCW 28B.15.544 shall not exceed  
7 the percentage of total gross authorized operating fees revenue in this  
8 subsection.

9 (a) Washington State University 1 percent

10 (b) Eastern Washington University 3 percent

11 (c) Central Washington University 3 percent

12 **Sec. 54.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to  
13 read as follows:

14 General powers and duties of the board of regents are as follows:

15 (1) To have full control of the university and its property of  
16 various kinds, except as otherwise provided by law.

17 (2) To employ the president of the university, his or her  
18 assistants, members of the faculty, and employees of the institution,  
19 who except as otherwise provided by law, shall hold their positions  
20 during the pleasure of said board of regents.

21 (3) Establish entrance requirements for students seeking admission  
22 to the university which meet or exceed the standards specified under  
23 RCW 28B.80.350(2) (as recodified by this act). Completion of  
24 examinations satisfactory to the university may be a prerequisite for  
25 entrance by any applicant at the university's discretion. Evidence of  
26 completion of public high schools and other educational institutions  
27 whose courses of study meet the approval of the university may be  
28 acceptable for entrance.

29 (4) Establish such colleges, schools, or departments necessary to  
30 carry out the purpose of the university and not otherwise proscribed by  
31 law.

32 (5) With the assistance of the faculty of the university, prescribe  
33 the course of study in the various colleges, schools, and departments  
34 of the institution and publish the necessary catalogues thereof.

35 (6) Grant to students such certificates or degrees as recommended  
36 for such students by the faculty. The board, upon recommendation of  
37 the faculty, may also confer honorary degrees upon persons other than

1 graduates of this university in recognition of their learning or  
2 devotion to literature, art, or science: PROVIDED, That no degree  
3 shall ever be conferred in consideration of the payment of money or the  
4 giving of property of whatsoever kind.

5 (7) Accept such gifts, grants, conveyances, bequests, and devises,  
6 whether real or personal property, or both, in trust or otherwise, for  
7 the use or benefit of the university, its colleges, schools,  
8 departments, or agencies; and sell, lease or exchange, invest or expend  
9 the same or the proceeds, rents, profits, and income thereof except as  
10 limited by the terms of said gifts, grants, conveyances, bequests, and  
11 devises. The board shall adopt proper rules to govern and protect the  
12 receipt and expenditure of the proceeds of all fees, and the proceeds,  
13 rents, profits, and income of all gifts, grants, conveyances, bequests,  
14 and devises above-mentioned.

15 (8) Except as otherwise provided by law, to enter into such  
16 contracts as the regents deem essential to university purposes.

17 (9) To submit upon request such reports as will be helpful to the  
18 governor and to the legislature in providing for the institution.

19 (10) (~~Subject to the approval of the higher education coordinating~~  
20 ~~board pursuant to RCW 28B.80.340,~~) Offer new degree programs, offer  
21 off-campus programs, participate in consortia or centers, contract for  
22 off-campus educational programs, and purchase or lease major off-campus  
23 facilities. New degree programs and off-campus programs are subject to  
24 approval of the higher education coordinating board under section 9 of  
25 this act.

26 **Sec. 55.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to  
27 read as follows:

28 The regents of Washington State University, in addition to other  
29 duties prescribed by law, shall:

30 (1) Have full control of the university and its property of various  
31 kinds, except as otherwise provided by law.

32 (2) Employ the president of the university, his or her assistants,  
33 members of the faculty, and employees of the university, who, except as  
34 otherwise provided by law, shall hold their positions during the  
35 pleasure of said board of regents.

36 (3) Establish entrance requirements for students seeking admission  
37 to the university which meet or exceed the standards specified under

1 RCW 28B.80.350(2) (as recodified by this act). Completion of  
2 examinations satisfactory to the university may be a prerequisite for  
3 entrance by any applicant, at the university's discretion. Evidence of  
4 completion of public high schools and other educational institutions  
5 whose courses of study meet the approval of the university may be  
6 acceptable for entrance.

7 (4) Establish such colleges, schools, or departments necessary to  
8 carry out the purpose of the university and not otherwise proscribed by  
9 law.

10 (5) (~~Subject to the approval of the higher education coordinating~~  
11 ~~board pursuant to RCW 28B.80.340,~~) Offer new degree programs, offer  
12 off-campus programs, participate in consortia or centers, contract for  
13 off-campus educational programs, and purchase or lease major off-campus  
14 facilities. New degree programs and off-campus programs are subject to  
15 approval of the higher education coordinating board under section 9 of  
16 this act.

17 (6) With the assistance of the faculty of the university, prescribe  
18 the courses of instruction in the various colleges, schools, and  
19 departments of the institution and publish the necessary catalogues  
20 thereof.

21 (7) Collect such information as the board deems desirable as to the  
22 schemes of technical instruction adopted in other parts of the United  
23 States and foreign countries.

24 (8) Provide for holding agricultural institutes including farm  
25 marketing forums.

26 (9) Provide that instruction given in the university, as far as  
27 practicable, be conveyed by means of laboratory work and provide in  
28 connection with the university one or more physical, chemical, and  
29 biological laboratories, and suitably furnish and equip the same.

30 (10) Provide training in military tactics for those students  
31 electing to participate therein.

32 (11) Establish a department of elementary science and in connection  
33 therewith provide instruction in elementary mathematics, including  
34 elementary trigonometry, elementary mechanics, elementary and  
35 mechanical drawing, and land surveying.

36 (12) Establish a department of agriculture and in connection  
37 therewith provide instruction in physics with special application of  
38 its principles to agriculture, chemistry with special application of

1 its principles to agriculture, morphology and physiology of plants with  
2 special reference to common grown crops and fungus enemies, morphology  
3 and physiology of the lower forms of animal life, with special  
4 reference to insect pests, morphology and physiology of the higher  
5 forms of animal life and in particular of the horse, cow, sheep, and  
6 swine, agriculture with special reference to the breeding and feeding  
7 of livestock and the best mode of cultivation of farm produce, and  
8 mining and metallurgy, appointing demonstrators in each of these  
9 subjects to superintend the equipment of a laboratory and to give  
10 practical instruction therein.

11 (13) Establish agricultural experiment stations in connection with  
12 the department of agriculture, including at least one in the western  
13 portion of the state, and appoint the officers and prescribe  
14 regulations for their management.

15 (14) Grant to students such certificates or degrees, as recommended  
16 for such students by the faculty.

17 (15) Confer honorary degrees upon persons other than graduates of  
18 the university in recognition of their learning or devotion to  
19 literature, art, or science when recommended thereto by the faculty:  
20 PROVIDED, That no degree shall ever be conferred in consideration of  
21 the payment of money or the giving of property of whatsoever kind.

22 (16) Adopt plans and specifications for university buildings and  
23 facilities or improvements thereto and employ skilled architects and  
24 engineers to prepare such plans and specifications and supervise the  
25 construction of buildings or facilities which the board is authorized  
26 to erect, and fix the compensation for such services. The board shall  
27 enter into contracts with one or more contractors for such suitable  
28 buildings, facilities, or improvements as the available funds will  
29 warrant, upon the most advantageous terms offered at a public  
30 competitive letting, pursuant to public notice under rules established  
31 by the board. The board shall require of all persons with whom they  
32 contract for construction and improvements a good and sufficient bond  
33 for the faithful performance of the work and full protection against  
34 all liens.

35 (17) Except as otherwise provided by law, direct the disposition of  
36 all money appropriated to or belonging to the state university.

37 (18) Receive and expend the money appropriated under the act of  
38 congress approved May 8, 1914, entitled "An Act to provide for

1 cooperative agricultural extension work between the agricultural  
2 colleges in the several States receiving the benefits of the Act of  
3 Congress approved July 2, 1862, and Acts supplemental thereto and the  
4 United States Department of Agriculture" and organize and conduct  
5 agricultural extension work in connection with the state university in  
6 accordance with the terms and conditions expressed in the acts of  
7 congress.

8 (19) Except as otherwise provided by law, to enter into such  
9 contracts as the regents deem essential to university purposes.

10 (20) Acquire by lease, gift, or otherwise, lands necessary to  
11 further the work of the university or for experimental or  
12 demonstrational purposes.

13 (21) Establish and maintain at least one agricultural experiment  
14 station in an irrigation district to conduct investigational work upon  
15 the principles and practices of irrigational agriculture including the  
16 utilization of water and its relation to soil types, crops, climatic  
17 conditions, ditch and drain construction, fertility investigations,  
18 plant disease, insect pests, marketing, farm management, utilization of  
19 fruit byproducts, and general development of agriculture under  
20 irrigation conditions.

21 (22) Supervise and control the agricultural experiment station at  
22 Puyallup.

23 (23) Establish and maintain at Wenatchee an agricultural experiment  
24 substation for the purpose of conducting investigational work upon the  
25 principles and practices of orchard culture, spraying, fertilization,  
26 pollenization, new fruit varieties, fruit diseases and pests,  
27 byproducts, marketing, management, and general horticultural problems.

28 (24) Accept such gifts, grants, conveyances, devises, and bequests,  
29 whether real or personal property, in trust or otherwise, for the use  
30 or benefit of the university, its colleges, schools, or departments;  
31 and sell, lease or exchange, invest or expend the same or the proceeds,  
32 rents, profits, and income thereof except as limited by the terms of  
33 said gifts, grants, conveyances, bequests, and devises; and adopt  
34 proper rules to govern and protect the receipt and expenditure of the  
35 proceeds of all fees, and the proceeds, rents, profits, and income of  
36 all gifts, grants, conveyances, bequests, and devises.

37 (25) Construct when the board so determines a new foundry and a  
38 mining, physical, technological building, and fabrication shop at the

1 university, or add to the present foundry and other buildings, in order  
2 that both instruction and research be expanded to include permanent  
3 molding and die casting with a section for new fabricating techniques,  
4 especially for light metals, including magnesium and aluminum; purchase  
5 equipment for the shops and laboratories in mechanical, electrical, and  
6 civil engineering; establish a pilot plant for the extraction of  
7 alumina from native clays and other possible light metal research;  
8 purchase equipment for a research laboratory for technological research  
9 generally; and purchase equipment for research in electronics,  
10 instrumentation, energy sources, plastics, food technology, mechanics  
11 of materials, hydraulics, and similar fields.

12 (26) Make and transmit to the governor and members of the  
13 legislature upon request such reports as will be helpful in providing  
14 for the institution.

15 **Sec. 56.** RCW 28B.35.120 and 1985 c 370 s 94 are each amended to  
16 read as follows:

17 In addition to any other powers and duties prescribed by law, each  
18 board of trustees of the respective regional universities:

19 (1) Shall have full control of the regional university and its  
20 property of various kinds, except as otherwise provided by law.

21 (2) Shall employ the president of the regional university, his  
22 assistants, members of the faculty, and other employees of the  
23 institution, who, except as otherwise provided by law, shall hold their  
24 positions, until discharged therefrom by the board for good and lawful  
25 reason.

26 (3) With the assistance of the faculty of the regional university,  
27 shall prescribe the course of study in the various schools and  
28 departments thereof and publish such catalogues thereof as the board  
29 deems necessary: PROVIDED, That the state board of education shall  
30 determine the requisites for and give program approval of all courses  
31 leading to teacher certification by such board.

32 (4) Establish such divisions, schools or departments necessary to  
33 carry out the purposes of the regional university and not otherwise  
34 proscribed by law.

35 (5) Except as otherwise provided by law, may establish and erect  
36 such new facilities as determined by the board to be necessary for the  
37 regional university.

1 (6) May acquire real and other property as provided in RCW  
2 28B.10.020, as now or hereafter amended.

3 (7) Except as otherwise provided by law, may purchase all supplies  
4 and purchase or lease equipment and other personal property needed for  
5 the operation or maintenance of the regional university.

6 (8) May establish, lease, operate, equip and maintain self-  
7 supporting facilities in the manner provided in RCW 28B.10.300 through  
8 28B.10.330, as now or hereafter amended.

9 (9) Except as otherwise provided by law, to enter into such  
10 contracts as the trustees deem essential to regional university  
11 purposes.

12 (10) May receive such gifts, grants, conveyances, devises and  
13 bequests of real or personal property from whatsoever source, as may be  
14 made from time to time, in trust or otherwise, whenever the terms and  
15 conditions thereof will aid in carrying out the regional university  
16 programs; sell, lease or exchange, invest or expend the same or the  
17 proceeds, rents, profits and income thereof except as limited by the  
18 terms and conditions thereof; and adopt regulations to govern the  
19 receipt and expenditure of the proceeds, rents, profits and income  
20 thereof.

21 (11) (~~Subject to the approval of the higher education coordinating~~  
22 ~~board pursuant to RCW 28B.80.340,~~) Offer new degree programs, offer  
23 off-campus programs, participate in consortia or centers, contract for  
24 off-campus educational programs, and purchase or lease major off-campus  
25 facilities. New degree programs and off-campus programs are subject to  
26 approval of the higher education coordinating board under section 9 of  
27 this act.

28 (12) May promulgate such rules and regulations, and perform all  
29 other acts not forbidden by law, as the board of trustees may in its  
30 discretion deem necessary or appropriate to the administration of the  
31 regional university.

32 **Sec. 57.** RCW 28B.38.010 and 1998 c 344 s 9 are each amended to  
33 read as follows:

34 (1) The Spokane intercollegiate research and technology institute  
35 is created.

36 (2) The institute shall be operated and administered as a multi-  
37 institutional education and research center, housing appropriate

1 programs conducted in Spokane under the authority of institutions of  
2 higher education as defined in RCW 28B.10.016. Washington independent  
3 and private institutions of higher education may participate as full  
4 partners in any academic and research activities of the institute.

5 (3) The institute shall house education and research programs  
6 specifically designed to meet the needs of eastern Washington.

7 (4) The establishment of any education program at the institute  
8 (~~and the lease, purchase, or construction of any site or facility for~~  
9 ~~the institute~~) is subject to the approval of the higher education  
10 coordinating board under (~~RCW 28B.80.340~~) section 9 of this act.

11 (5) The institute shall be headquartered in Spokane.

12 (6) The mission of the institute is to perform and commercialize  
13 research that benefits the intermediate and long-term economic vitality  
14 of eastern Washington and to develop and strengthen university-industry  
15 relationships through the conduct of research that is primarily of  
16 interest to eastern Washington-based companies or state economic  
17 development programs. The institute shall:

18 (a) Perform and facilitate research supportive of state science and  
19 technology objectives, particularly as they relate to eastern  
20 Washington industries;

21 (b) Provide leading edge collaborative research and technology  
22 transfer opportunities primarily to eastern Washington industries;

23 (c) Provide substantial opportunities for training undergraduate  
24 and graduate students through direct involvement in research and  
25 industry interactions;

26 (d) Emphasize and develop nonstate support of the institute's  
27 research activities; and

28 (e) Provide a forum for effective interaction between the state's  
29 technology-based industries and its academic institutions through  
30 promotion of faculty collaboration with industry, particularly within  
31 eastern Washington.

32 **Sec. 58.** RCW 28B.40.120 and 1985 c 370 s 95 are each amended to  
33 read as follows:

34 In addition to any other powers and duties prescribed by law, the  
35 board of trustees of The Evergreen State College:

36 (1) Shall have full control of the state college and its property  
37 of various kinds, except as otherwise provided by law.

1 (2) Shall employ the president of the state college, his  
2 assistants, members of the faculty, and other employees of the  
3 institution, who, except as otherwise provided by law, shall hold their  
4 positions, until discharged therefrom by the board for good and lawful  
5 reason.

6 (3) With the assistance of the faculty of the state college, shall  
7 prescribe the course of study in the various schools and departments  
8 thereof and publish such catalogues thereof as the board deems  
9 necessary: PROVIDED, That the state board of education shall determine  
10 the requisites for and give program approval of all courses leading to  
11 teacher certification by such board.

12 (4) Establish such divisions, schools or departments necessary to  
13 carry out the purposes of the college and not otherwise proscribed by  
14 law.

15 (5) Except as otherwise provided by law, may establish and erect  
16 such new facilities as determined by the board to be necessary for the  
17 college.

18 (6) May acquire real and other property as provided in RCW  
19 28B.10.020, as now or hereafter amended.

20 (7) Except as otherwise provided by law, may purchase all supplies  
21 and purchase or lease equipment and other personal property needed for  
22 the operation or maintenance of the college.

23 (8) May establish, lease, operate, equip and maintain self-  
24 supporting facilities in the manner provided in RCW 28B.10.300 through  
25 28B.10.330, as now or hereafter amended.

26 (9) Except as otherwise provided by law, to enter into such  
27 contracts as the trustees deem essential to college purposes.

28 (10) May receive such gifts, grants, conveyances, devises and  
29 bequests of real or personal property from whatsoever source, as may be  
30 made from time to time, in trust or otherwise, whenever the terms and  
31 conditions thereof will aid in carrying out the college programs; sell,  
32 lease or exchange, invest or expend the same or the proceeds, rents,  
33 profits and income thereof except as limited by the terms and  
34 conditions thereof; and adopt regulations to govern the receipt and  
35 expenditure of the proceeds, rents, profits and income thereof.

36 (11) (~~Subject to the approval of the higher education coordinating~~  
37 ~~board pursuant to RCW 28B.80.340,)~~ Offer new degree programs, offer  
38 off-campus programs, participate in consortia or centers, contract for

1 off-campus educational programs, and purchase or lease major off-campus  
2 facilities. New degree programs and off-campus programs are subject to  
3 approval of the higher education coordinating board under section 9 of  
4 this act.

5 (12) May promulgate such rules and regulations, and perform all  
6 other acts not forbidden by law, as the board of trustees may in its  
7 discretion deem necessary or appropriate to the administration of the  
8 college.

9 **Sec. 59.** RCW 28B.50.090 and 2003 c 130 s 6 are each amended to  
10 read as follows:

11 The college board shall have general supervision and control over  
12 the state system of community and technical colleges. In addition to  
13 the other powers and duties imposed upon the college board by this  
14 chapter, the college board shall be charged with the following powers,  
15 duties and responsibilities:

16 (1) Review the budgets prepared by the boards of trustees, prepare  
17 a single budget for the support of the state system of community and  
18 technical colleges and adult education, and submit this budget to the  
19 governor as provided in RCW 43.88.090;

20 (2) Establish guidelines for the disbursement of funds; and receive  
21 and disburse such funds for adult education and maintenance and  
22 operation and capital support of the college districts in conformance  
23 with the state and district budgets, and in conformance with chapter  
24 43.88 RCW;

25 (3) Ensure, through the full use of its authority:

26 (a) That each college district shall offer thoroughly comprehensive  
27 educational, training and service programs to meet the needs of both  
28 the communities and students served by combining high standards of  
29 excellence in academic transfer courses; realistic and practical  
30 courses in occupational education, both graded and ungraded; and  
31 community services of an educational, cultural, and recreational  
32 nature; and adult education, including basic skills and general,  
33 family, and work force literacy programs and services. However,  
34 technical colleges, and college districts containing only technical  
35 colleges, shall maintain programs solely for occupational education,  
36 basic skills, and literacy purposes. For as long as a need exists,

1 technical colleges may continue those programs, activities, and  
2 services they offered during the twelve-month period preceding May 17,  
3 1991;

4 (b) That each college district shall maintain an open-door policy,  
5 to the end that no student will be denied admission because of the  
6 location of the student's residence or because of the student's  
7 educational background or ability; that, insofar as is practical in the  
8 judgment of the college board, curriculum offerings will be provided to  
9 meet the educational and training needs of the community generally and  
10 the students thereof; and that all students, regardless of their  
11 differing courses of study, will be considered, known and recognized  
12 equally as members of the student body: PROVIDED, That the  
13 administrative officers of a community or technical college may deny  
14 admission to a prospective student or attendance to an enrolled student  
15 if, in their judgment, the student would not be competent to profit  
16 from the curriculum offerings of the college, or would, by his or her  
17 presence or conduct, create a disruptive atmosphere within the college  
18 not consistent with the purposes of the institution. This subsection  
19 (3)(b) shall not apply to competency, conduct, or presence associated  
20 with a disability in a person twenty-one years of age or younger  
21 attending a technical college;

22 (4) Prepare a comprehensive master plan for the development of  
23 community and technical college education and training in the state;  
24 and assist the office of financial management in the preparation of  
25 enrollment projections to support plans for providing adequate college  
26 facilities in all areas of the state. The master plan shall include  
27 implementation of the vision, goals, priorities, and strategies in the  
28 statewide strategic master plan for higher education under RCW  
29 28B.80.345 (as recodified by this act) based on the community and  
30 technical college system's role and mission. The master plan shall  
31 also contain measurable performance indicators and benchmarks for  
32 gauging progress toward achieving the goals and priorities;

33 (5) Define and administer criteria and guidelines for the  
34 establishment of new community and technical colleges or campuses  
35 within the existing districts;

36 (6) Establish criteria and procedures for modifying district  
37 boundary lines consistent with the purposes set forth in RCW 28B.50.020

1 as now or hereafter amended and in accordance therewith make such  
2 changes as it deems advisable;

3 (7) Establish minimum standards to govern the operation of the  
4 community and technical colleges with respect to:

5 (a) Qualifications and credentials of instructional and key  
6 administrative personnel, except as otherwise provided in the state  
7 plan for vocational education,

8 (b) Internal budgeting, accounting, auditing, and financial  
9 procedures as necessary to supplement the general requirements  
10 prescribed pursuant to chapter 43.88 RCW,

11 (c) The content of the curriculums and other educational and  
12 training programs, and the requirement for degrees and certificates  
13 awarded by the colleges,

14 (d) Standard admission policies,

15 (e) Eligibility of courses to receive state fund support;

16 (8) Establish and administer criteria and procedures for all  
17 capital construction including the establishment, installation, and  
18 expansion of facilities within the various college districts;

19 (9) Encourage innovation in the development of new educational and  
20 training programs and instructional methods; coordinate research  
21 efforts to this end; and disseminate the findings thereof;

22 (10) Exercise any other powers, duties and responsibilities  
23 necessary to carry out the purposes of this chapter;

24 (11) Authorize the various community and technical colleges to  
25 offer programs and courses in other districts when it determines that  
26 such action is consistent with the purposes set forth in RCW 28B.50.020  
27 as now or hereafter amended;

28 (12) Notwithstanding any other law or statute regarding the sale of  
29 state property, sell or exchange and convey any or all interest in any  
30 community and technical college real and personal property, except such  
31 property as is received by a college district in accordance with RCW  
32 28B.50.140(8), when it determines that such property is surplus or that  
33 such a sale or exchange is in the best interests of the community and  
34 technical college system;

35 (13) In order that the treasurer for the state board for community  
36 and technical colleges appointed in accordance with RCW 28B.50.085 may  
37 make vendor payments, the state treasurer will honor warrants drawn by  
38 the state board providing for an initial advance on July 1, 1982, of

1 the current biennium and on July 1 of each succeeding biennium from the  
2 state general fund in an amount equal to twenty-four percent of the  
3 average monthly allotment for such budgeted biennium expenditures for  
4 the state board for community and technical colleges as certified by  
5 the office of financial management; and at the conclusion of such  
6 initial month and for each succeeding month of any biennium, the state  
7 treasurer will reimburse expenditures incurred and reported monthly by  
8 the state board treasurer in accordance with chapter 43.88 RCW:  
9 PROVIDED, That the reimbursement to the state board for actual  
10 expenditures incurred in the final month of each biennium shall be less  
11 the initial advance made in such biennium;

12 (14) Notwithstanding the provisions of subsection (12) of this  
13 section, may receive such gifts, grants, conveyances, devises, and  
14 bequests of real or personal property from private sources as may be  
15 made from time to time, in trust or otherwise, whenever the terms and  
16 conditions thereof will aid in carrying out the community and technical  
17 college programs and may sell, lease or exchange, invest or expend the  
18 same or the proceeds, rents, profits and income thereof according to  
19 the terms and conditions thereof; and adopt regulations to govern the  
20 receipt and expenditure of the proceeds, rents, profits and income  
21 thereof;

22 (15) The college board shall have the power of eminent domain;

23 (16) Provide general supervision over the state's technical  
24 colleges. The president of each technical college shall report  
25 directly to the director of the state board for community and technical  
26 colleges, or the director's designee, until local control is assumed by  
27 a new or existing board of trustees as appropriate, except that a  
28 college president shall have authority over program decisions of his or  
29 her college until the establishment of a board of trustees for that  
30 college. The directors of the vocational-technical institutes on March  
31 1, 1991, shall be designated as the presidents of the new technical  
32 colleges.

33 **Sec. 60.** RCW 28B.50.140 and 1997 c 281 s 1 are each amended to  
34 read as follows:

35 Each board of trustees:

36 (1) Shall operate all existing community and technical colleges in  
37 its district;

1 (2) Shall create comprehensive programs of community and technical  
2 college education and training and maintain an open-door policy in  
3 accordance with the provisions of RCW 28B.50.090(3). However,  
4 technical colleges, and college districts containing only technical  
5 colleges, shall maintain programs solely for occupational education,  
6 basic skills, and literacy purposes. For as long as a need exists,  
7 technical colleges may continue those programs, activities, and  
8 services they offered during the twelve-month period preceding  
9 September 1, 1991;

10 (3) Shall employ for a period to be fixed by the board a college  
11 president for each community and technical college and, may appoint a  
12 president for the district, and fix their duties and compensation,  
13 which may include elements other than salary. Compensation under this  
14 subsection shall not affect but may supplement retirement, health care,  
15 and other benefits that are otherwise applicable to the presidents as  
16 state employees. The board shall also employ for a period to be fixed  
17 by the board members of the faculty and such other administrative  
18 officers and other employees as may be necessary or appropriate and fix  
19 their salaries and duties. Compensation and salary increases under  
20 this subsection shall not exceed the amount or percentage established  
21 for those purposes in the state appropriations act by the legislature  
22 as allocated to the board of trustees by the state board for community  
23 and technical colleges. The state board for community and technical  
24 colleges shall adopt rules defining the permissible elements of  
25 compensation under this subsection;

26 (4) May establish, under the approval and direction of the college  
27 board, new facilities as community needs and interests demand(  
28 ~~However, the authority of boards of trustees to purchase or lease major~~  
29 ~~off-campus facilities shall be subject to the approval of the higher~~  
30 ~~education coordinating board pursuant to RCW 28B.80.340(5))~~);

31 (5) May establish or lease, operate, equip and maintain  
32 dormitories, food service facilities, bookstores and other self-  
33 supporting facilities connected with the operation of the community and  
34 technical college;

35 (6) May, with the approval of the college board, borrow money and  
36 issue and sell revenue bonds or other evidences of indebtedness for the  
37 construction, reconstruction, erection, equipping with permanent  
38 fixtures, demolition and major alteration of buildings or other capital

1 assets, and the acquisition of sites, rights-of-way, easements,  
2 improvements or appurtenances, for dormitories, food service  
3 facilities, and other self-supporting facilities connected with the  
4 operation of the community and technical college in accordance with the  
5 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

6 (7) May establish fees and charges for the facilities authorized  
7 hereunder, including reasonable rules and regulations for the  
8 government thereof, not inconsistent with the rules and regulations of  
9 the college board; each board of trustees operating a community and  
10 technical college may enter into agreements, subject to rules and  
11 regulations of the college board, with owners of facilities to be used  
12 for housing regarding the management, operation, and government of such  
13 facilities, and any board entering into such an agreement may:

14 (a) Make rules and regulations for the government, management and  
15 operation of such housing facilities deemed necessary or advisable; and

16 (b) Employ necessary employees to govern, manage and operate the  
17 same;

18 (8) May receive such gifts, grants, conveyances, devises and  
19 bequests of real or personal property from private sources, as may be  
20 made from time to time, in trust or otherwise, whenever the terms and  
21 conditions thereof will aid in carrying out the community and technical  
22 college programs as specified by law and the regulations of the state  
23 college board; sell, lease or exchange, invest or expend the same or  
24 the proceeds, rents, profits and income thereof according to the terms  
25 and conditions thereof; and adopt regulations to govern the receipt and  
26 expenditure of the proceeds, rents, profits and income thereof;

27 (9) May establish and maintain night schools whenever in the  
28 discretion of the board of trustees it is deemed advisable, and  
29 authorize classrooms and other facilities to be used for summer or  
30 night schools, or for public meetings and for any other uses consistent  
31 with the use of such classrooms or facilities for community and  
32 technical college purposes;

33 (10) May make rules and regulations for pedestrian and vehicular  
34 traffic on property owned, operated, or maintained by the district;

35 (11) Shall prescribe, with the assistance of the faculty, the  
36 course of study in the various departments of the community and  
37 technical college or colleges under its control, and publish such  
38 catalogues and bulletins as may become necessary;

1 (12) May grant to every student, upon graduation or completion of  
2 a course of study, a suitable diploma, nonbaccalaureate degree or  
3 certificate. Technical colleges shall offer only nonbaccalaureate  
4 technical degrees under the rules of the state board for community and  
5 technical colleges that are appropriate to their work force education  
6 and training mission. The primary purpose of this degree is to lead  
7 the individual directly to employment in a specific occupation.  
8 Technical colleges may not offer transfer degrees. The board, upon  
9 recommendation of the faculty, may also confer honorary associate of  
10 arts degrees upon persons other than graduates of the community  
11 college, in recognition of their learning or devotion to education,  
12 literature, art, or science. No degree may be conferred in  
13 consideration of the payment of money or the donation of any kind of  
14 property;

15 (13) Shall enforce the rules and regulations prescribed by the  
16 state board for community and technical colleges for the government of  
17 community and technical colleges, students and teachers, and promulgate  
18 such rules and regulations and perform all other acts not inconsistent  
19 with law or rules and regulations of the state board for community and  
20 technical colleges as the board of trustees may in its discretion deem  
21 necessary or appropriate to the administration of college districts:  
22 PROVIDED, That such rules and regulations shall include, but not be  
23 limited to, rules and regulations relating to housing, scholarships,  
24 conduct at the various community and technical college facilities, and  
25 discipline: PROVIDED, FURTHER, That the board of trustees may suspend  
26 or expel from community and technical colleges students who refuse to  
27 obey any of the duly promulgated rules and regulations;

28 (14) May, by written order filed in its office, delegate to the  
29 president or district president any of the powers and duties vested in  
30 or imposed upon it by this chapter. Such delegated powers and duties  
31 may be exercised in the name of the district board;

32 (15) May perform such other activities consistent with this chapter  
33 and not in conflict with the directives of the college board;

34 (16) Notwithstanding any other provision of law, may offer  
35 educational services on a contractual basis other than the tuition and  
36 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
37 or governmental entities, consistent with rules and regulations adopted  
38 by the state board for community and technical colleges: PROVIDED,

1 That the whole of such special fee shall go to the college district and  
2 be not less than the full instructional costs of such services  
3 including any salary increases authorized by the legislature for  
4 community and technical college employees during the term of the  
5 agreement: PROVIDED FURTHER, That enrollments generated hereunder  
6 shall not be counted toward the official enrollment level of the  
7 college district for state funding purposes;

8 (17) Notwithstanding any other provision of law, may offer  
9 educational services on a contractual basis, charging tuition and fees  
10 as set forth in chapter 28B.15 RCW, counting such enrollments for state  
11 funding purposes, and may additionally charge a special supplemental  
12 fee when necessary to cover the full instructional costs of such  
13 services: PROVIDED, That such contracts shall be subject to review by  
14 the state board for community and technical colleges and to such rules  
15 as the state board may adopt for that purpose in order to assure that  
16 the sum of the supplemental fee and the normal state funding shall not  
17 exceed the projected total cost of offering the educational service:  
18 PROVIDED FURTHER, That enrollments generated by courses offered on the  
19 basis of contracts requiring payment of a share of the normal costs of  
20 the course will be discounted to the percentage provided by the  
21 college;

22 (18) Shall be authorized to pay dues to any association of trustees  
23 that may be formed by the various boards of trustees; such association  
24 may expend any or all of such funds to submit biennially, or more often  
25 if necessary, to the governor and to the legislature, the  
26 recommendations of the association regarding changes which would affect  
27 the efficiency of such association;

28 (19) (~~Subject to the approval of the higher education coordinating~~  
29 ~~board pursuant to RCW 28B.80.340(4),~~) May participate in higher  
30 education centers and consortia that involve any four-year public or  
31 independent college or university: PROVIDED, That new degree programs  
32 or off-campus programs offered by a four-year public or independent  
33 college or university in collaboration with a community or technical  
34 college are subject to approval by the higher education coordinating  
35 board under section 9 of this act; and

36 (20) Shall perform any other duties and responsibilities imposed by  
37 law or rule and regulation of the state board.

1       **Sec. 61.** RCW 28B.95.020 and 2001 c 184 s 1 are each amended to  
2 read as follows:

3       The definitions in this section apply throughout this chapter,  
4 unless the context clearly requires otherwise.

5       (1) "Academic year" means the regular nine-month, three-quarter, or  
6 two-semester period annually occurring between July 1st and June 30th.

7       (2) "Account" means the Washington advanced college tuition payment  
8 program account established for the deposit of all money received by  
9 the board from eligible purchasers and interest earnings on investments  
10 of funds in the account, as well as for all expenditures on behalf of  
11 eligible beneficiaries for the redemption of tuition units and for the  
12 development of any authorized college savings program pursuant to RCW  
13 28B.95.150.

14       (3) "Board" means the higher education coordinating board as  
15 defined in chapter (~~(28B.80)~~) 28B.-- RCW (as created in section 78 of  
16 this act).

17       (4) "Committee on advanced tuition payment" or "committee" means a  
18 committee of the following members: The state treasurer, the director  
19 of the office of financial management, the executive director of the  
20 higher education coordinating board, or their designees, and two  
21 members to be appointed by the governor, one representing program  
22 participants and one private business representative with marketing,  
23 public relations, or financial expertise.

24       (5) "Governing body" means the committee empowered by the  
25 legislature to administer the Washington advanced college tuition  
26 payment program.

27       (6) "Contractual obligation" means a legally binding contract of  
28 the state with the purchaser and the beneficiary establishing that  
29 purchases of tuition units will be worth the same number of tuition  
30 units at the time of redemption as they were worth at the time of the  
31 purchase.

32       (7) "Eligible beneficiary" means the person for whom the tuition  
33 unit will be redeemed for attendance at an institution of higher  
34 education. The beneficiary is that person named by the purchaser at  
35 the time that a tuition unit contract is accepted by the governing  
36 body. With the exception of tuition unit contracts purchased by  
37 qualified organizations as future scholarships, the beneficiary must

1 reside in the state of Washington or otherwise be a resident of the  
2 state of Washington at the time the tuition unit contract is accepted  
3 by the governing body.

4 (8) "Eligible purchaser" means an individual or organization that  
5 has entered into a tuition unit contract with the governing body for  
6 the purchase of tuition units for an eligible beneficiary.

7 (9) "Full-time tuition charges" means resident tuition charges at  
8 a state institution of higher education for enrollments between ten  
9 credits and eighteen credit hours per academic term.

10 (10) "Institution of higher education" means an institution that  
11 offers education beyond the secondary level and is recognized by the  
12 internal revenue service under chapter 529 of the internal revenue  
13 code.

14 (11) "Investment board" means the state investment board as defined  
15 in chapter 43.33A RCW.

16 (12) "State institution of higher education" means institutions of  
17 higher education as defined in RCW 28B.10.016.

18 (13) "Tuition and fees" means undergraduate tuition and services  
19 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded  
20 to the nearest whole dollar. The maximum tuition and fees charges  
21 recognized for beneficiaries enrolled in a state technical college  
22 shall be equal to the tuition and fees for the community college  
23 system.

24 (14) "Tuition unit contract" means a contract between an eligible  
25 purchaser and the governing body, or a successor agency appointed for  
26 administration of this chapter, for the purchase of tuition units for  
27 a specified beneficiary that may be redeemed at a later date for an  
28 equal number of tuition units.

29 (15) "Unit purchase price" means the minimum cost to purchase one  
30 tuition unit for an eligible beneficiary. Generally, the minimum  
31 purchase price is one percent of the undergraduate weighted average  
32 tuition and fees for the current year, rounded to the nearest whole  
33 dollar, adjusted for the costs of administration and adjusted to ensure  
34 the actuarial soundness of the account. The analysis for price setting  
35 shall also include, but not be limited to consideration of past and  
36 projected patterns of tuition increases, program liability, past and  
37 projected investment returns, and the need for a prudent stabilization  
38 reserve.

1 (16) "Weighted average tuition" shall be calculated as the sum of  
2 the undergraduate tuition and services and activities fees for each  
3 four-year state institution of higher education, multiplied by the  
4 respective full-time equivalent student enrollment at each institution  
5 divided by the sum total of undergraduate full-time equivalent student  
6 enrollments of all four-year state institutions of higher education,  
7 rounded to the nearest whole dollar.

8 (17) "Weighted average tuition unit" is the value of the weighted  
9 average tuition and fees divided by one hundred. The weighted average  
10 is the basis upon which tuition benefits may be calculated as the basis  
11 for any refunds provided from the program.

12 **Sec. 62.** RCW 28B.119.010 and 2003 c 233 s 5 are each amended to  
13 read as follows:

14 The higher education coordinating board shall design the Washington  
15 promise scholarship program based on the following parameters:

16 (1) Scholarships shall be awarded to students graduating from  
17 public and approved private high schools under chapter 28A.195 RCW,  
18 students participating in home-based instruction as provided in chapter  
19 28A.200 RCW, and persons twenty-one years of age or younger receiving  
20 a GED certificate, who meet both an academic and a financial  
21 eligibility criteria.

22 (a) Academic eligibility criteria shall be defined as follows:

23 (i) Beginning with the graduating class of 2002, students  
24 graduating from public and approved private high schools under chapter  
25 28A.195 RCW must be in the top fifteen percent of their graduating  
26 class, as identified by each respective high school at the completion  
27 of the first term of the student's senior year; or

28 (ii) Students graduating from public high schools, approved private  
29 high schools under chapter 28A.195 RCW, students participating in home-  
30 based instruction as provided in chapter 28A.200 RCW, and persons  
31 twenty-one years of age or younger receiving a GED certificate, must  
32 equal or exceed a cumulative scholastic assessment test I score of  
33 twelve hundred on their first attempt or must equal or exceed a  
34 composite American college test score of twenty-seven on their first  
35 attempt.

36 (b) To meet the financial eligibility criteria, a student's family  
37 income shall not exceed one hundred thirty-five percent of the state

1 median family income adjusted for family size, as determined by the  
2 higher education coordinating board for each graduating class.  
3 Students not meeting the eligibility requirements for the first year of  
4 scholarship benefits may reapply for the second year of benefits, but  
5 must still meet the income standard set by the board for the student's  
6 graduating class.

7 (2) Promise scholarships are not intended to supplant any grant,  
8 scholarship, or tax program related to postsecondary education. If the  
9 board finds that promise scholarships supplant or reduce any grant,  
10 scholarship, or tax program for categories of students, then the board  
11 shall adjust the financial eligibility criteria or the amount of  
12 scholarship to the level necessary to avoid supplanting.

13 (3) Within available funds, each qualifying student shall receive  
14 two consecutive annual awards, the value of each not to exceed the  
15 full-time annual resident tuition rates charged by Washington's  
16 community colleges. The higher education coordinating board shall  
17 award scholarships to as many students as possible from among those  
18 qualifying under this section.

19 (4) By October 15th of each year, the board shall determine the  
20 award amount of the scholarships, after taking into consideration the  
21 availability of funds.

22 (5) The scholarships may only be used for undergraduate coursework  
23 at accredited institutions of higher education in the state of  
24 Washington.

25 (6) The scholarships may be used for undergraduate coursework at  
26 Oregon institutions of higher education that are part of the border  
27 county higher education opportunity project in RCW 28B.80.806 (as  
28 recodified by this act) when those institutions offer programs not  
29 available at accredited institutions of higher education in Washington  
30 state.

31 (7) The scholarships may be used for college-related expenses,  
32 including but not limited to, tuition, room and board, books, and  
33 materials.

34 (8) The scholarships may not be awarded to any student who is  
35 pursuing a degree in theology.

36 (9) The higher education coordinating board may establish  
37 satisfactory progress standards for the continued receipt of the  
38 promise scholarship.

1 (10) The higher education coordinating board shall establish the  
2 time frame within which the student must use the scholarship.

3 **Sec. 63.** RCW 28C.04.545 and 1999 c 28 s 1 are each amended to read  
4 as follows:

5 (1) The respective governing boards of the public technical  
6 colleges shall provide fee waivers for a maximum of two years for those  
7 recipients of the Washington award for vocational excellence  
8 established under RCW 28C.04.520 through 28C.04.540 who received the  
9 award before June 30, 1994. To qualify for the waiver, recipients  
10 shall enter the public technical college within three years of  
11 receiving the award. An above average rating at the technical college  
12 in the first year shall be required to qualify for the second-year  
13 waiver.

14 (2) Students named by the work force training and education  
15 coordinating board after June 30, 1994, as recipients of the Washington  
16 award for vocational excellence under RCW 28C.04.520 through 28C.04.550  
17 shall be eligible to receive a grant for undergraduate course work as  
18 authorized under RCW 28B.80.272 (as recodified by this act).

19 (3)(a) Beginning with awards made during the 1998-99 academic year,  
20 recipients must complete using the award before the fall term in the  
21 sixth year following the date of the award. For these recipients,  
22 eligibility for the award is forfeited after this period.

23 (b) All persons awarded a Washington award for vocational  
24 excellence before the 1995-96 academic year and who have remaining  
25 eligibility on April 19, 1999, must complete using the award before  
26 September 2002. For these recipients, eligibility for the award is  
27 forfeited after this period.

28 (c) All persons awarded a Washington award for vocational  
29 excellence during the 1995-96, 1996-97, and 1997-98 academic years must  
30 complete using the award before September 2005. For these recipients,  
31 eligibility for the award is forfeited after this period.

32 **Sec. 64.** RCW 43.105.825 and 1999 c 285 s 7 are each amended to  
33 read as follows:

34 (1) In overseeing the technical aspects of the K-20 network, the  
35 information services board is not intended to duplicate the statutory  
36 responsibilities of the higher education coordinating board, the

1 superintendent of public instruction, the information services board,  
2 the state librarian, or the governing boards of the institutions of  
3 higher education.

4 (2) The board may not interfere in any curriculum or legally  
5 offered programming offered over the network.

6 (3) ~~((The coordination of telecommunications planning for  
7 institutions of higher education as defined in RCW 28B.10.016 remains  
8 the responsibility of the higher education coordinating board under RCW  
9 28B.80.600. The board may recommend, but not require, revisions to the  
10 higher education coordinating board's telecommunications plan.~~

11 ~~(4))~~) The responsibility to review and approve standards and common  
12 specifications for the network remains the responsibility of the  
13 information services board under RCW 43.105.041.

14 ~~((5))~~) (4) The coordination of telecommunications planning for the  
15 common schools remains the responsibility of the superintendent of  
16 public instruction. Except as set forth in RCW 43.105.041(1)(d), the  
17 board may recommend, but not require, revisions to the superintendent's  
18 telecommunications plans.

19 **Sec. 65.** RCW 43.157.010 and 2003 c 54 s 1 are each amended to read  
20 as follows:

21 (1) For purposes of this chapter and RCW 28A.525.166, 28B.80.330  
22 (as recodified by this act), 28C.18.080, 43.21A.350, 47.06.030, and  
23 90.58.100 and an industrial project of statewide significance is a  
24 border crossing project that involves both private and public  
25 investments carried out in conjunction with adjacent states or  
26 provinces or a private industrial development with private capital  
27 investment in manufacturing or research and development. To qualify as  
28 an industrial project of statewide significance: (a) The project must  
29 be completed after January 1, 1997; (b) the applicant must submit an  
30 application for designation as an industrial project of statewide  
31 significance to the department of community, trade, and economic  
32 development; and (c) the project must have:

33 (i) In counties with a population of less than or equal to twenty  
34 thousand, a capital investment of twenty million dollars;

35 (ii) In counties with a population of greater than twenty thousand  
36 but no more than fifty thousand, a capital investment of fifty million  
37 dollars;

1 (iii) In counties with a population of greater than fifty thousand  
2 but no more than one hundred thousand, a capital investment of one  
3 hundred million dollars;

4 (iv) In counties with a population of greater than one hundred  
5 thousand but no more than two hundred thousand, a capital investment of  
6 two hundred million dollars;

7 (v) In counties with a population of greater than two hundred  
8 thousand but no more than four hundred thousand, a capital investment  
9 of four hundred million dollars;

10 (vi) In counties with a population of greater than four hundred  
11 thousand but no more than one million, a capital investment of six  
12 hundred million dollars;

13 (vii) In counties with a population of greater than one million, a  
14 capital investment of one billion dollars;

15 (viii) In counties with fewer than one hundred persons per square  
16 mile as determined annually by the office of financial management and  
17 published by the department of revenue effective for the period July  
18 1st through June 30th, projected full-time employment positions after  
19 completion of construction of fifty or greater;

20 (ix) In counties with one hundred or more persons per square mile  
21 as determined annually by the office of financial management and  
22 published by the department of revenue effective for the period July  
23 1st through June 30th, projected full-time employment positions after  
24 completion of construction of one hundred or greater; or

25 (x) Been designated by the director of community, trade, and  
26 economic development as an industrial project of statewide significance  
27 either: (A) Because the county in which the project is to be located  
28 is a distressed county and the economic circumstances of the county  
29 merit the additional assistance such designation will bring; or (B)  
30 because the impact on a region due to the size and complexity of the  
31 project merits such designation.

32 (2) The term manufacturing shall have the meaning assigned it in  
33 RCW 82.61.010.

34 (3) The term research and development shall have the meaning  
35 assigned it in RCW 82.61.010.

36 (4) The term applicant means a person applying to the department of  
37 community, trade, and economic development for designation of a  
38 development project as an industrial project of statewide significance.

1       **Sec. 66.** RCW 43.79.465 and 2001 2nd sp.s. c 7 s 917 are each  
2 amended to read as follows:

3       The education savings account is created in the state treasury.  
4 The account shall consist of all moneys appropriated to the account by  
5 the legislature.

6       (1) Ten percent of legislative appropriations to the education  
7 savings account shall be distributed as follows: (a) Fifty percent to  
8 the distinguished professorship trust fund under RCW 28B.10.868 (as  
9 recodified by this act); (b) seventeen percent to the graduate  
10 fellowship trust fund under RCW 28B.10.882 (as recodified by this act);  
11 and (c) thirty-three percent to the college faculty awards trust fund  
12 under RCW 28B.50.837.

13       (2) The remaining moneys in the education savings account may be  
14 appropriated solely for (a) common school construction projects that  
15 are eligible for funding from the common school construction account,  
16 (b) technology improvements in the common schools, and (c) during the  
17 2001-03 fiscal biennium, technology improvements in public higher  
18 education institutions.

19       **Sec. 67.** RCW 28B.15.760 and 1985 c 370 s 79 are each amended to  
20 read as follows:

21       Unless the context clearly requires otherwise, the definitions in  
22 this section apply throughout RCW 28B.15.762 and 28B.15.764.

23       (1) "Institution of higher education" or "institution" means a  
24 college or university in the state of Washington which is a member  
25 institution of an accrediting association recognized as such by rule of  
26 the higher education coordinating board.

27       (2) "Board" means the higher education coordinating board.

28       (3) "Eligible student" means a student registered for at least ten  
29 credit hours or the equivalent and demonstrates achievement of a 3.00  
30 grade point average for each academic year, who is a resident student  
31 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy  
32 student" as defined in RCW 28B.10.802 (as recodified by this act), and  
33 who has a declared major in a program leading to a degree in teacher  
34 education in a field of science or mathematics, or a certificated  
35 teacher who meets the same credit hour and "needy student" requirements  
36 and is seeking an additional degree in science or mathematics.

1 (4) "Public school" means a middle school, junior high school, or  
2 high school within the public school system referred to in Article IX  
3 of the state Constitution.

4 (5) "Forgiven" or "to forgive" means to collect service as a  
5 teacher in a field of science or mathematics at a public school in the  
6 state of Washington in lieu of monetary payment.

7 (6) "Satisfied" means paid-in-full.

8 (7) "Borrower" means an eligible student who has received a loan  
9 under RCW 28B.15.762.

10 **Sec. 68.** RCW 28B.15.820 and 1995 1st sp.s. c 9 s 10 are each  
11 amended to read as follows:

12 (1) Each institution of higher education, including technical  
13 colleges, shall deposit a minimum of three and one-half percent of  
14 revenues collected from tuition and services and activities fees in an  
15 institutional financial aid fund that is hereby created and which shall  
16 be held locally. Moneys in the fund shall be used only for the  
17 following purposes: (a) To make guaranteed long-term loans to eligible  
18 students as provided in subsections (3) through (8) of this section;  
19 (b) to make short-term loans as provided in subsection (9) of this  
20 section; or (c) to provide financial aid to needy students as provided  
21 in subsection (10) of this section.

22 (2) An "eligible student" for the purposes of subsections (3)  
23 through (8) and (10) of this section is a student registered for at  
24 least six credit hours or the equivalent, who is eligible for resident  
25 tuition and fee rates as defined in RCW 28B.15.012 (~~through [and]~~)  
26 and 28B.15.013, and who is a "needy student" as defined in RCW  
27 28B.10.802 (as recodified by this act).

28 (3) The amount of the guaranteed long-term loans made under this  
29 section shall not exceed the demonstrated financial need of the  
30 student. Each institution shall establish loan terms and conditions  
31 which shall be consistent with the terms of the guaranteed loan program  
32 established by 20 U.S. Code Section 1071 et seq., as now or hereafter  
33 amended. All loans made shall be guaranteed by the Washington student  
34 loan guaranty association or its successor agency. Institutions are  
35 hereby granted full authority to operate as an eligible lender under  
36 the guaranteed loan program.

1 (4) Before approving a guaranteed long-term loan, each institution  
2 shall analyze the ability of the student to repay the loan based on  
3 factors which include, but are not limited to, the student's  
4 accumulated total education loan burdens and the employment  
5 opportunities and average starting salary characteristics of the  
6 student's chosen fields of study. The institution shall counsel the  
7 student on the advisability of acquiring additional debt, and on the  
8 availability of other forms of financial aid.

9 (5) Each institution is responsible for collection of guaranteed  
10 long-term loans made under this section and shall exercise due  
11 diligence in such collection, maintaining all necessary records to  
12 insure that maximum repayments are made. Institutions shall cooperate  
13 with other lenders and the Washington student loan guaranty  
14 association, or its successor agency, in the coordinated collection of  
15 guaranteed loans, and shall assure that the guarantability of the loans  
16 is not violated. Collection and servicing of guaranteed long-term  
17 loans under this section shall be performed by entities approved for  
18 such servicing by the Washington student loan guaranty association or  
19 its successor agency: PROVIDED, That institutions be permitted to  
20 perform such servicing if specifically recognized to do so by the  
21 Washington student loan guaranty association or its successor agency.  
22 Collection and servicing of guaranteed long-term loans made by  
23 community colleges under subsection (1) of this section shall be  
24 coordinated by the state board for community and technical colleges and  
25 shall be conducted under procedures adopted by the state board.

26 (6) Receipts from payment of interest or principal or any other  
27 subsidies to which institutions as lenders are entitled, that are paid  
28 by or on behalf of borrowers of funds under subsections (3) through (8)  
29 of this section, shall be deposited in each institution's financial aid  
30 fund and shall be used to cover the costs of making the guaranteed  
31 long-term loans under this section and maintaining necessary records  
32 and making collections under subsection (5) of this section: PROVIDED,  
33 That such costs shall not exceed five percent of aggregate outstanding  
34 loan principal. Institutions shall maintain accurate records of such  
35 costs, and all receipts beyond those necessary to pay such costs, shall  
36 be deposited in the institution's financial aid fund.

37 (7) The governing boards of the state universities, the regional  
38 universities, and The Evergreen State College, and the state board for

1 community and technical colleges, on behalf of the community colleges  
2 and technical colleges, shall each adopt necessary rules and  
3 regulations to implement this section.

4 (8) First priority for any guaranteed long-term loans made under  
5 this section shall be directed toward students who would not normally  
6 have access to educational loans from private financial institutions in  
7 Washington state, and maximum use shall be made of secondary markets in  
8 the support of loan consolidation.

9 (9) Short-term loans, not to exceed one year, may be made from the  
10 institutional financial aid fund to students enrolled in the  
11 institution. No such loan shall be made to any student who is known by  
12 the institution to be in default or delinquent in the payment of any  
13 outstanding student loan. A short-term loan may be made only if the  
14 institution has ample evidence that the student has the capability of  
15 repaying the loan within the time frame specified by the institution  
16 for repayment.

17 (10) Any moneys deposited in the institutional financial aid fund  
18 that are not used in making long-term or short-term loans may be used  
19 by the institution for locally-administered financial aid programs for  
20 needy students, such as need-based institutional employment programs or  
21 need-based tuition and fee scholarship or grant programs. These funds  
22 shall be used in addition to and not to replace institutional funds  
23 that would otherwise support these locally-administered financial aid  
24 programs. First priority in the use of these funds shall be given to  
25 needy students who have accumulated excessive educational loan burdens.  
26 An excessive educational loan burden is a burden that will be difficult  
27 to repay given employment opportunities and average starting salaries  
28 in the student's chosen fields of study. Second priority in the use of  
29 these funds shall be given to needy single parents, to assist these  
30 students with their educational expenses, including expenses associated  
31 with child care and transportation.

32 **Sec. 69.** RCW 28B.101.020 and 2003 c 233 s 3 are each amended to  
33 read as follows:

34 (1) For the purposes of this chapter, "placebound" means unable to  
35 complete a college program because of family or employment commitments,  
36 health concerns, monetary inability, or other similar factors.

1           (2) To be eligible for an educational opportunity grant, applicants  
2 must be placebound residents of the state of Washington as defined in  
3 RCW 28B.15.012(2) (a) through (d), who: (a) Are needy students as  
4 defined in RCW 28B.10.802(3) (as recodified by this act); and (b) have  
5 completed the associate of arts or associate of science degree or the  
6 equivalent. A placebound resident is one who may be influenced by the  
7 receipt of an enhanced student financial aid award to complete a  
8 baccalaureate degree at an eligible institution. An eligible  
9 placebound applicant is further defined as a person who would be unable  
10 to complete a baccalaureate course of study but for receipt of an  
11 educational opportunity grant.

12           **Sec. 70.** RCW 28B.102.040 and 1987 c 437 s 4 are each amended to  
13 read as follows:

14           The higher education coordinating board shall establish a planning  
15 committee to develop criteria for the screening and selection of  
16 recipients of the conditional scholarships. These criteria shall  
17 emphasize factors demonstrating excellence including but not limited to  
18 superior scholastic achievement, leadership ability, community  
19 contributions, and an ability to act as a role model for targeted  
20 ethnic minority students. These criteria also may include, for  
21 approximately half of the recipients, requirements that those  
22 recipients meet the definition of "needy student" under RCW 28B.10.802  
23 (as recodified by this act).

24           **Sec. 71.** RCW 28B.108.010 and 1991 c 228 s 10 are each amended to  
25 read as follows:

26           Unless the context clearly requires otherwise, the definitions in  
27 this section apply throughout this chapter.

28           (1) "Institution of higher education" or "institution" means a  
29 college or university in the state of Washington which is accredited by  
30 an accrediting association recognized as such by rule of the higher  
31 education coordinating board.

32           (2) "Board" means the higher education coordinating board.

33           (3) "Eligible student" or "student" means an American Indian who is  
34 a financially needy student, as defined in RCW 28B.10.802 (as  
35 recodified by this act), who is a resident student, as defined by RCW

1 28B.15.012(2), who is a full-time student at an institution of higher  
2 education, and who promises to use his or her education to benefit  
3 other American Indians.

4 **Sec. 72.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to  
5 read as follows:

6 The board shall establish a planning committee to assist it in  
7 developing criteria for the selection of participants. The board shall  
8 include on the planning committee representatives of the department,  
9 the department of social and health services, appropriate  
10 representatives from health care facilities, provider groups,  
11 consumers, the state board (~~(of community college education)~~) for  
12 community and technical colleges, the superintendent of public  
13 instruction, and other appropriate public and private agencies and  
14 organizations. The criteria may require that some of the participants  
15 meet the definition of "needy student" under RCW 28B.10.802 (as  
16 recodified by this act).

17 **Sec. 73.** RCW 28B.119.030 and 2002 c 204 s 4 are each amended to  
18 read as follows:

19 The Washington promise scholarship program shall not be funded at  
20 the expense of the state need grant program as defined in (~~RCW~~  
21 ~~28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW (as created in  
22 section 80 of this act). In administering the state need grant and  
23 promise scholarship programs, the higher education coordinating board  
24 shall first ensure that eligibility for state need grant recipients is  
25 at least fifty-five percent of state median family income.

26 **Sec. 74.** RCW 28B.133.010 and 2003 c 19 s 2 are each amended to  
27 read as follows:

28 The educational assistance grant program for students with  
29 dependents is hereby created, subject to the availability of receipts  
30 of gifts, grants, or endowments from private sources. The program is  
31 created to serve financially needy students with dependents eighteen  
32 years of age or younger, by assisting them directly through a grant  
33 program to pursue a degree or certificate at public or private  
34 institutions of higher education, as defined in RCW 28B.10.802 (as

1 recodified by this act), that participate in the state need grant  
2 program.

3 **Sec. 75.** RCW 28B.133.020 and 2003 c 19 s 3 are each amended to  
4 read as follows:

5 To be eligible for the educational assistance grant program for  
6 students with dependents, applicants shall: (1) Be residents of the  
7 state of Washington; (2) be needy students as defined in RCW  
8 28B.10.802(3) (as recodified by this act); (3) be eligible to  
9 participate in the state need grant program as set forth under RCW  
10 28B.10.810 (as recodified by this act); and (4) have dependents  
11 eighteen years of age or younger who are under their care.

12 **Sec. 76.** RCW 28B.133.050 and 2003 c 19 s 6 are each amended to  
13 read as follows:

14 The educational assistance grant program for students with  
15 dependents grants may be used by eligible participants to attend any  
16 public or private college or university in the state of Washington as  
17 defined in RCW 28B.10.802 (as recodified by this act). Each  
18 participating student may receive an amount to be determined by the  
19 higher education coordinating board, with a minimum amount of one  
20 thousand dollars per academic year, not to exceed the student's  
21 documented financial need for the course of study as determined by the  
22 institution.

23 Educational assistance grants for students with dependents are not  
24 intended to supplant any grant scholarship or tax program related to  
25 postsecondary education. If the higher education coordinating board  
26 finds that the educational assistance grants for students with  
27 dependents supplant or reduce any grant, scholarship, or tax program  
28 for categories of students, then the higher education coordinating  
29 board shall adjust the financial eligibility criteria or the amount of  
30 the grant to the level necessary to avoid supplanting.

31 NEW SECTION. **Sec. 77.** The following acts or parts of acts are  
32 each repealed:

33 (1) RCW 28A.305.280 (Forum for education issues) and 1994 c 222 s  
34 1;

1 (2) RCW 28B.10.210 (Blind students, assistance to--"Blind student"  
2 defined) and 1969 ex.s. c 223 s 28B.10.210;

3 (3) RCW 28B.10.215 (Blind students, assistance to--Allocation of  
4 funds) and 1985 c 370 s 51, 1982 1st ex.s. c 37 s 6, 1974 ex.s. c 68 s  
5 1, & 1969 ex.s. c 223 s 28B.10.215;

6 (4) RCW 28B.10.220 (Blind students, assistance to--Administration  
7 of funds) and 1985 c 370 s 52, 1982 1st ex.s. c 37 s 7, 1974 ex.s. c 68  
8 s 2, & 1969 ex.s. c 223 s 28B.10.220;

9 (5) RCW 28B.10.824 (State student financial aid program--  
10 Commission, executive director, employees--Appointment--Salaries) and  
11 1973 c 62 s 5 & 1969 ex.s. c 222 s 20;

12 (6) RCW 28B.10.874 (Distinguished professorship trust fund  
13 program--Transfer of administration--Recommendations to governor and  
14 legislature) and 1987 c 8 s 9;

15 (7) RCW 28B.10.887 (Graduate fellowship trust fund program--  
16 Transfer of administration) and 1998 c 245 s 14 & 1987 c 147 s 8;

17 (8) RCW 28B.80.255 (Washington award for excellence--Use of  
18 academic grant) and 1992 c 83 s 3, 1992 c 50 s 2, & 1991 c 255 s 6;

19 (9) RCW 28B.80.265 (Washington award for excellence--Rules) and  
20 1992 c 83 s 4 & 1991 c 255 s 7;

21 (10) RCW 28B.80.290 (Statewide transfer of credit policy and  
22 agreement--Requirements) and 1983 c 304 s 2;

23 (11) RCW 28B.80.320 (Purpose) and 1985 c 370 s 3;

24 (12) RCW 28B.80.340 (Program responsibilities) and 2003 c 130 s 4  
25 & 1985 c 370 s 5;

26 (13) RCW 28B.80.440 (Interstate discussions and agreements about  
27 standards and programs for teachers, administrators, and educational  
28 staff associates) and 1987 c 40 s 1;

29 (14) RCW 28B.80.442 (Interstate discussions--Support and services  
30 of western interstate commission on higher education) and 1987 c 40 s  
31 2;

32 (15) RCW 28B.80.450 (Placebound students--Study of needs) and 1990  
33 c 288 s 1;

34 (16) RCW 28B.80.500 (Branch campuses--Adjustment of enrollment  
35 lids) and 1989 1st ex.s. c 7 s 2;

36 (17) RCW 28B.80.520 (Branch campuses--Facilities acquisition) and  
37 1989 1st ex.s. c 7 s 9;

1 (18) RCW 28B.80.600 (Coordination of telecommunications planning)  
2 and 1996 c 137 s 9 & 1990 c 208 s 9;

3 (19) RCW 28B.80.610 (Higher education institutional  
4 responsibilities) and 2003 c 130 s 5 & 1993 c 363 s 2;

5 (20) RCW 28B.80.612 (Identification of methods to reduce  
6 administrative barriers) and 1998 c 245 s 25 & 1993 c 363 s 3;

7 (21) RCW 28B.80.614 (Study of higher education system operations)  
8 and 1993 c 363 s 4;

9 (22) RCW 28B.80.616 (Reports to legislature and citizens on  
10 postsecondary educational system--Reports to board from state board for  
11 community and technical colleges and state institutions of higher  
12 education--Cooperation with independent colleges and universities) and  
13 1993 c 363 s 5;

14 (23) RCW 28B.80.910 (Severability--1969 ex.s. c 277) and 1969 ex.s.  
15 c 277 s 15;

16 (24) RCW 28B.80.911 (Severability--1985 c 370) and 1985 c 370 s  
17 107; and

18 (25) RCW 28B.80.912 (Effective dates--1985 c 370) and 1985 c 370 s  
19 108.

20 NEW SECTION. **Sec. 78.** Sections 1, 9, 11, and 12 of this act  
21 constitute a new chapter in Title 28B RCW.

22 NEW SECTION. **Sec. 79.** (1) The following sections are codified or  
23 recodified in the order shown in Part I, General Provisions, of the  
24 chapter created in section 78 of this act:

- 25 (a) RCW 28B.80.300;
- 26 (b) RCW 28B.80.310;
- 27 (c) Section 1 of this act;
- 28 (d) RCW 28B.80.390;
- 29 (e) RCW 28B.80.400;
- 30 (f) RCW 28B.80.410;
- 31 (g) RCW 28B.80.420;
- 32 (h) RCW 28B.80.110;
- 33 (i) RCW 28B.80.430;
- 34 (j) RCW 28B.80.380;
- 35 (k) RCW 28B.80.200; and
- 36 (l) RCW 28B.80.370.

1 (2) The following sections are codified or recodified in the order  
2 shown in Part II, Policy and Planning, of the chapter created in  
3 section 78 of this act:

- 4 (a) RCW 28B.80.345;
- 5 (b) RCW 28B.80.330;
- 6 (c) RCW 28B.80.335;
- 7 (d) Section 9 of this act;
- 8 (e) RCW 28B.80.280;
- 9 (f) Section 11 of this act;
- 10 (g) Section 12 of this act;
- 11 (h) RCW 28B.80.350;
- 12 (i) RCW 28B.10.044;
- 13 (j) RCW 28B.15.070;
- 14 (k) RCW 28B.15.076; and
- 15 (l) RCW 28B.80.175.

16 (3) The following sections are recodified in the order shown in  
17 Part III, Education Services Administration, of the chapter created in  
18 section 78 of this act:

- 19 (a) RCW 28B.80.240;
- 20 (b) RCW 28B.80.210;
- 21 (c) RCW 28B.80.230;
- 22 (d) RCW 28B.80.180;
- 23 (e) RCW 28B.80.360;
- 24 (f) RCW 28B.10.859;
- 25 (g) RCW 28B.10.866;
- 26 (h) RCW 28B.10.867;
- 27 (i) RCW 28B.10.868;
- 28 (j) RCW 28B.10.869;
- 29 (k) RCW 28B.10.870;
- 30 (l) RCW 28B.10.871;
- 31 (m) RCW 28B.10.872;
- 32 (n) RCW 28B.10.873;
- 33 (o) RCW 28B.10.880;
- 34 (p) RCW 28B.10.881;
- 35 (q) RCW 28B.10.882;
- 36 (r) RCW 28B.10.883;
- 37 (s) RCW 28B.10.884;
- 38 (t) RCW 28B.10.885;

- 1 (u) RCW 28B.10.886;
- 2 (v) RCW 28B.80.150;
- 3 (w) RCW 28B.80.160;
- 4 (x) RCW 28B.80.170;
- 5 (y) RCW 28B.80.245;
- 6 (z) RCW 28B.80.246;
- 7 (aa) RCW 28B.80.272;
- 8 (bb) RCW 28B.80.805;
- 9 (cc) RCW 28B.80.806;
- 10 (dd) RCW 28B.80.807;
- 11 (ee) RCW 28B.80.620;
- 12 (ff) RCW 28B.80.622;
- 13 (gg) RCW 28B.80.624;
- 14 (hh) RCW 28B.80.626; and
- 15 (ii) RCW 28B.80.810.

16 NEW SECTION. Sec. 80. The following sections are recodified in a  
17 new chapter in Title 28B RCW:

- 18 (1) RCW 28B.10.800;
- 19 (2) RCW 28B.10.801;
- 20 (3) RCW 28B.10.802;
- 21 (4) RCW 28B.10.804;
- 22 (5) RCW 28B.10.806;
- 23 (6) RCW 28B.10.808;
- 24 (7) RCW 28B.10.8081;
- 25 (8) RCW 28B.10.810;
- 26 (9) RCW 28B.10.812;
- 27 (10) RCW 28B.10.814;
- 28 (11) RCW 28B.10.816;
- 29 (12) RCW 28B.10.818;
- 30 (13) RCW 28B.10.820;
- 31 (14) RCW 28B.10.821; and
- 32 (15) RCW 28B.10.822.

33 NEW SECTION. Sec. 81. RCW 28B.80.510 is recodified as a new  
34 section in chapter 28B.45 RCW.

1        NEW SECTION.   **Sec. 82.** Part headings used in this act are not part  
2 of the law.

3        NEW SECTION.   **Sec. 83.** Sections 26 and 27 of this act expire  
4 January 30, 2005.

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